THE EXPOSICIONS of the termes of the lawes of England, with diuers propre rules and principles of the lawe, aswell out of the bookes of maister Litleton, as of other. Gathered both in French and English, for yong men very necessary. whereunto are added the olde tenures.

(.·.)

1567

¶ In ædibus Richardi Tottell.

Cum priuilegio.

Like as the vniuersall worlde can neuer haue his continuace but onely by ye order & lawe of Nature wbiche cōpelleth euery thing to doe hys kynde: so ther is no multitude of people in no realme ye can continue in vnitie and peace without they be therto cōpelled by some good order & law, wherfore a good law obserued causeth euer good people, & a good reasonable cōmon lawe maketh a good cōmon peas, & a cōmō welth amōg a great cōmunaltie of people, & on good gouernor wbich causeth one lawe to bee obserued among diuers & much people, bringeth diuers & much people to one good vnitie, but diuers rulers & gouernors & dyuers orders and lawes one contrarie to another, & when that euerye gouernor will haue ye law after his minde, bringeth one multitude of people to barās &

deuision, for as euerye man is variaunt from other in visage, so they be variant in minde & condicion, therfore, one law & one gouernour for one realme and for one people is most necessarye. And also lacke of law causeth manye wronges to be committed wyllinglye. And lacke of knowledge of the lawe, causeth dyuers wronges to be done by negligēce, therfore, sith lawes is necessary to be had, & a verteous & a good thynge, ergo to haue knowledge therof is a necessary and a verteous & good thinge, & that ý is verteous & good, is good for euery man to vse: ergo it followeth it is a good thyng for euery man to haue the knowledge of the lawe. And sith that it is necessary for euery realme to haue a law reasonable & sufficient to gouerne ý great multitude of ý people, ergo it is necessary ý the great multitude of ý people haue ý knowledge of ý same law, to the which they be bound, ergo it followethe that ý law in euery realme should be so published, declared, & written, in such wise ý the people so bound to the same, myght sone and shortly come to the knowledge therof or els such a lawe, so kept secretly in ý knowledge of a few persons, &

from

from the knowledge of the great multitude, maye rather be called a trap and a net to bring the people to vexacion and trouble than a good order to bring them to peace & quietnes. And forasmuch as ye law of this realme of Englād is ordeyned and deuyled for ye augmentacion of iustice, & for the quietnes of ye people, & for the common welth of ye same, ergo it is conuenient ye euerye one within thys realme bound to the same may haue the knowlege therof, & not resonable that any suche wayes should be had or vsed, whereby ye people should be ignorant of the law, or should be exiled or restrained frō the knowledge therof. I therfor considering these forsaid causes, haue taken vpon me this little labour & study to declare & to expound certain obscure and darke termes concernig ye lawes of this realme & the nature of certayne writtes for the helpe & erudicion of them that be yong beginners, which intend to be studentes of the lawe. For as the Philosopher saith. *Ignoratis terminis ignoratur et ars.* That is to say. He ye is ignorant of ye termes of any science, must nedes be ignorant of ye science. But yet I haue not enterprised this, for that ye I thinke my

felfe sufficient & able to expoun them as substancialye as other expe learned men can doe, but to thentent that som ease & furtherãce of learning may com to yong students by reading of thys same. And also I haue compiled & indited this little worke, first in ye french tong as is vsed in ye bokes of our law, and after translated the same compilacion into our engilsh tong to thẽtẽt that such yong students may the sonner attain to the knowlege of ye french tong, which knowlege so had, shal bee a great helpe & furtherãce vnto them whã they shal study other higher workes of the law of more difficultie as be the bokes of yeres & termes and other bookes which be written in the frẽch tong, wherby they shal come to ye more knowelege of the law, which knowe-ledge of the lawe so had, & the trew execucion of the same law, shalbe greatly to the augmentacion of the commion wealth of this re alme, whiche the eternall god increase & pserue to his great honour and glorye. Amen.

(.·.)

ABiuracio is, wher one that hath committed murder or felonie flieth to any churche or other place priuileged, for sauegard of his lyfe & ther before ỳ coroner maketh such confession which may make a sufficient inditement of felony, then the Coroner shall make him to forsweare the realme, and shal assigne to him too what port he shal go, & shal swere him ỳ he go not out of the hye waye & that he shal not abyde at ỳ port if he may haue goode passage) but one flood and an ebbe, & yf he cãnot haue passage, ỳ he shal goe euery day during .xl. dayes, into the Sea to his knees, but yf suche a Felone that abiureth, goe oute of the high waye, and flieth to another place,

ABiuracion est lou vnque ad comyse murder ou felonye fue al ascũ esglise ou aut̃ lieu priuilege pour la sauegarde de sa vie, et la deuaunt le Coroner fayt tiel confession que puit fayre sufficiente inditement de felony, donques le coroner lui ferra de abiure la realme et assignera a lui a q̃l port il alera et luy iurra q̃ il ne va hors del haut chimin, et q̃ il ne demurra a le port (si il puit aũ bõ passage) fors q̃ vn floode & vn ebbe, & si il ne puit auer passage, q̃ il alera che scun iour durãt .xl. iours in la mer a sõ geñ, mes si tiel sclõ q̃ abiure ala hors del chimin et fue a auter lieu

ſi il ſoit priſe il ſerra ameſne devant le iudge & la auera iudgemente deſtre pendu, mes ſil q̃ iſſinte priala priuilege ne voite abiure, donque il auera la priuilege pur. xl. iours et cheſcun puit luy doner viaund, mes ſi aſcũ doñ luy viander apres xl. iours, meſq̃ il ſoit ſa feme, ty el doñ eſt felonye. Auxi ceſty q̃ abiure ſerra deliuer p vne conſtable a lauter de vne fraunches a lauter, tanq̃ il vient a ſon porte et ſil ne voyt luy reſceiũ il ſerra greuouſmente amercye. Vide turamentũ tractatu de abiuracione coronatorum.

If he bee taken, he ſhall bee brought before the iudge, & there ſhall haue iudgemẽt to bee hanged. But if he which ſo prayeth the priuilege will not abiure, thã he ſhall haue ꝯ priuilege for. xl. daies, and euery mã may geue hym meate and drynke, But if any geue him ſuſtenaunce after. xl. daies, although it be his wife, ſuche geuing is felonye. Alſo, he that dooth abiure, ſhall be delyuered from one conſtable to an other, & from one fraunches to another, till that he come to hys port, and if the conſtable will not receiue hym, he ſhal be greeuouſlye amerced. Loke the othe in the treatiſe de Abiuratione coronatorum.

Abatemente in terre putenementes eſt quant

Abatement in landes and tenements is when a man

a man dieth seised of any landes or tenements, & a straunger whiche hath no right entreth in to ye land before ye heire, this is called an abatemēt, but if ye heire enter first, and the straunger enter uppon ye possession of ye heire thā it is a disseisi to ye heire

homme mourrust seisie de ascū terres ou tenēz & vn estrange q̄ nad droit entra en le terre deuant lerre cest appel vn abatement, mes si heire entre primis et lestrange entra sur la possessiō le eyre, dōq; il ē disseisi al heire

Abatement of a writte or plaint, is whan ani action is brought by wrytt or plaint. and there lacketh sufficient matter or els the matter is not certaine alledged, then the defendaunt shall praye that the writ shal abate that is to saye that the plaintife shall begin his sewte a newe, and shall bringe a nother writte or plaint if he will. But yf the defendaunt in anye accion plede a matter in barre for to adnull ye action for euer, he shall

Abatemēt de brieſe ou plaint est quant ascū accion est port par brief ou plaint, et faut sufficient matter, ou le matter est non certaine allege, donques le defendāt priera que le brieſe abatera, s. que le plaintife commencera sa suite nouelment et porterad̄m anū brieſe ou pleint (si il voyle) mes si le defendaunt in ascun accion plede vn matter en barre pur anuller le acciō a touts iours

ne vie dra ā aps apled. ī abatemt de breefe mes si apres il appiert in le recorde q̄ est ascūm atī apparaunt pour que le briefe doit este abatus donques le def. ou ascū auter person vt amic curie puit biē plede et monstre ceo in arest de iudgement, auxi sont diuers choses q̄ abater a vn briefe. s. misnoūm del pl. ou def. ou de lieu, variaunce inter la briefe et le especialtie ou recorde, non certeintie ī le brefe ou count, mort del pl. ou def. & plusours auters choses que serront plus long a cest temps pur escrier.

not come afterward to plede in abatemt of the writ but if after it appere in ỳ record that there is some matter apparā for the whiche the writ ought to be abated thē the defendant or any ỳsō as a frende to ỳ court may wel plede q̄ shewe that in arrest of Iudgement. Also these be thinges which shal abate a writ, that is to say misnaming of the pleintyf or the defēdant or of ỳ place, variatice betwine the writ and the Specialte or Record, vncertaintie in the writ or declaracion, deathe of the plaintif or defēdāt. And many other thigz whiche would be to long at this time to write.

Abbe est la sufferain de meason de relygion

Abbot is the soueraīn of a house of relygyon such

suche a souerain in any such house shal not bee charged bi the act of his Bredecessor if it be not by court seal or for such things which commeth to ỳ vse of his house. Also an abbot shall not be charged for the dette of his monke before his ẽtre in religiõ though ỳ creditour haue an especialte thereof excepte ỳ it haue comẽ to the vse of his house but the executours of the monk shal be charged therof.

& tiel sufferaine in a cũ tiel meason ne serra charge per act de sõ p-decessour sil ne soit p comen seale ou per tiel chose que vient al vse de son meas. Auxi ab be ne serra charge pur le det sõ cõoignõ deuãt sõ ẽtre in religiõ mesq, le creditor ad de ceo vn especialtie, sinon q̃ il auoit deuen' al vse de meason mes les executours de comoignõ serrõt charge de ceo.

Abrigement of plaint or demaund is when any assise is broughte or writte of dower and the plaintif in the assise maketh his plainte or the demaundant in a writte of Dower maketh her demaund of diuers parcels of lande, & ỳ tenant

Abrigemẽt de plaint ou demaũde est quant a scun assise est porte ou vn briefe de dower & le pl. in lassise fait son plaĩt ou le demaũdãt in briefe de dower fait sa demaunde de diũs pcels de ẽre et le tenãt

plede

plede nõtenure ou ioyn tenancy al parcell dell terre in abatemente de briefe, donques le plentife ou demandant puyt abridge son pleint ou demaunde a cell parcell & priera que le tenaunt respondra al remanente et le cause est pour cco q̃ en tiels briefes la certeintie nest comprise en le briefe.

pleditb nõ tenure or iot tenancy to parcell of th lande in abatement o the writ than the plaintife or demaundant ma abredge his playnt or d maunde to that parcell shall praye ỳ the tenan shal aunswer to the remenaunt, the cause is for that that in suche writtes the certeintie is not comprehended in the wrpt.

Accessorie est celuy que, eyde assist ou comfort a cun home que ad fayte a cun mourdur ou felonye dont il ad connusauns donques tile accessorie serra punyshe et auer a iudgement de vye & de member auxi bien cõe le principall que fist le felonye, mes tyel accessorie ne serra iammes

Accessorie is he that eydeth, assisteth, or comforte the anye man that hath done any murdur or felonye, where of he hath knowledge, than such a accessorie shal be punished and shall haue iugement of lyfe & member as well as the principyall whyche did the felonye. But suche an accessorye shall neuer be

put

ut to aunswere to that
ill the principall bee at-
ainte or conuicte or bee
outlawed there vppon,
ure a woman in suche case
shall not be accessorie for
the ayde of her hus-
band. also if one com-
maunde an other to do a
felonye and he dothe it, if
the commaunder bee not
present he is an accessory
but if he be present he is
principall as well as the
other that did the deede,
but in treason, as well ye
commaunders as the af-
sisters and receyters af-
ter bee all wayes princi-
palles.

Accompt is a writ and
it lyeth where a baylyfe
or a receyuer to anylorde
or other manne whyche be
ought to render accompt
will not gyue his accōpt
thenne he to whome the
accompte oughte too bee
geuen

mes a respōdre a ceo tāq;
la principal soit conuict
ou attaīt ou sorte vtlage
de ceo, mes vn feme in
tiel cas ne serra accesso-
rie pur le ayder de son
baron, auxi si vne com-
maunde lauter de fayre
felonye & il le fait si le
commaunder ne soit pre
sent il est accessorie, mes
si il soit present il ē prin-
cipall auxi bien come
lautre que fist le fayte
mes in treason auxi bien
les commāders cōe les
assisters et receits āps sōt
touts foits principalles.

Accompt est vn briefe
et gist lou bailifs ou re-
ceiuer de seignourie
ou auter home que doyte
render accompt ne
ist so accōpt render dounq
celuy a q̄ l'accōpt doit ē
rend,

end auera cest briefe
E iperlestatut de west
ii. C. x. si laccomptãt
sout troue in arreragis
les auditours que soũt
a luy assignes ount po-
wer de gauder luy a p-
sõ la demurrer tanque
il ad fait gree al parte
mes si les auditours ne
voillont allowa resona
ble expens & costage
ou sils chargeront luy
oue plusours rescoites
que ne duissent donq;
son procheine amy que
voyt suer pur luy suera
vn briefe de ex parte ta
lis hors del chauncery
direct al vic. de prẽdre
iiii. mainpurs de rẽd.
son corps destuãt les ba
rons del eschecer a cer
taine iour et de gaũ
le seignur dapperer la
a ñ le iour.

geuẽ shalhaue thiz wr
And by ỹ statut of we
m ii. c. x. if the accõptã
be founde in arrerage
Auditourz which be as
gned to hi haue powe
to awarde him to pris
ther to abide til he hau
made gremẽt to ỹ party
but if the auditourz wil
not allowe resõable ex
pẽce and costs, or if the
charge him with mo re
ceites that they oughte
not, than his nert freend
that wil sue for him shal
sue a writ of er parte ta
lis out of the chauncery
directe to the shirife to
take. iiii. mainpernors
to bringe his bodye be
fore the barõs of the es
cheker at a certain daye
to warne the lorde to
appeare there at a cer
taine day.

Accions reals be suche accions where the demaundant claimeth ty-tle to any lãdes or tene-ments, rent, or rente in fee simple, fee taile, or for terme of life.

Accions personels bee suche accions wher a mã claimeth dette or other goods or catel or da-mage for thē, or dama-ges for wronge done to his person.

Addicion is that that is geuen to a man over his proper name & sur-name that is to saye to the name of what estate, de-gree, or craft that he is of what towne, name of place, or countre and such addicions were or-deyned by the statute of the fyrst yere of Henry .v. in accyons where

Accions reals sont tiels accions ou le de-maundaunt claime ti-tle a aucun terres ou te-nements, rent ou come a fee simple, fee taylou a terme de vie

Accions personels sõt tiels accions ou home claime dette ou autres biẽs et chateux ou dã-mage pur eux ou dam-pn tort fait a sõ pson

Addicion est ceo que est done a vn home ou-ster sõ proper nosme & surnosme: s.a monstre de ql estate ou degree ou mester que il soit, et de quel vill. hãlet, lieu & cõte, et tels addi-cions furent ordaine per le statute, an. .ii. v. cap. v. in accions ou

procces dutlarye gist que
vn ne serra greeue plus
lagarye lautre et tyels
breefes abateront sylz
ne ount tiels addicyons
si le pl. prist exception a
ceo mes ils ne abateront
per office de court, auxy
Duke, Marques, Coūte
ouchesualler ne soūt pre
addiciones mes nosmes
de dignitee queux duis-
saunt auer este done de
iuant le statute.

Administratour è celuy
a que lordinarye cōmit
ladministracion des biens
lamors pur le faute
de executours et aceyon
gist vers luy & pur luy
come pur executour et se
ra charge iesques al va
lue des biens lamortee et
nient oustre sil ne soitc
per sunt aux plee ou pour
ceo que il ad demesnes les

procces of vtlarie liethe
one shal not bee greene
bye vtlarye of another
such writtes shall aba
if they haue not suche
dtcions if the playnet
take exception thereto
but theye shall not aba
by the office of the cour
Also Duke, Marqu
Earle & Knight be no
addicions but names
dygnitie whiche shoul
haue beene geuen befo
the statute.

Administratour is b
to whome the ordinar
committethe thadmin
tration of the goodes
a ded man for defaute
an executoure, & actio
shal lie against him & t
hym as for an executou
& he shall be charged to
value of the goods of t
ded man, no farther, if
hee not by his owne fa
ulte, or for that, if
hee hathe wasted t
goods

goodes of the deadde
but if thadministrator
hee his executours hee
not administratours,
u. hee maketh the
ordinary to commit
administration unto a
stranger that is not an
administrator nor executour
take the goodes of
the deadde administrator
is also bound to make an
executour and not an
administrator in any
case, is bound
by any cre
the ordinary make a letter
collacion bona nes
that hath no power
administrator
the action
against the deadde
as well as unto
take the goodes to his
hands hee the
of anye of his ser
makes by anye other

bies lemort Mes si ad
ministrator denia, ses
executine some admi-
nistrators mes convient
a lordinary de commit
nouel administracie
mes si ne estrange qui
nest administrator ne
executour prist lesbins
lemors et ministre de
son tort demesne estre
charge et suet ge
executor et nemy ad-
ministrator in alcy ac
ion et pour ceo si lus
alcun creditour mes
i lordinarie fait une
lettre de collacion
bonis nes
administrator
administratour mes
ou gift nes lordinary
ne auxibien come si
prist lesbins son maine
demesne ou p le main
ascun servant p

aſcun commandement.

A dmeſurement de
dowe eſt en briefe, &
giſt en un femme eſt
endowe per un enfaunt
en pupill gardein de
pluis que ne deuote de
auer, le ryre entyre caſe
auera eſt briefe per ol
la femme ſera admeſ-
ſure & le heyre reſſoun.
Mes ſi un abate.s. vuq
nad. Mote entre apres
le mortie baron & eſt-
dowe ſa fenme de pluis
que doit auer, lein ne-
ſuera eſt briefe mes ſi
ſiſe de mard. Ne ſeſ-
uans la femme, & ſi eſt
pleade q̃ eſt ſuit endow
un ſapres, le heyre man-
ſi a tement el ſuit en-
dowe per labaroun, &
q̃ l'ad pluis q̃ ne de-
noit auer, et pierque il

Admeſurement de dow
et ſa a dit, and it ſhe
where a woman is en
dowed by an infant
a ward in or more
the dowrie is more
where in ſuch caſe
have this dowrie
admeſurement ſhall
be briefe. Yet if the
death of the husband
enſue his wife
then the ſhall not
this dowrie, but if
a man dyed ſeiſed
the woman
be pleade that ſhe
dowred at ſuch
and the heir
ſhall ſhew
that the husband
the dowrie to
way that he
to the ſuit

an

& if it be found, he shall be restored.

Admeasurement de pasture is a writ, & it lieth where many tenaunts haue cõen appendant in another groud & one p̃ ouerchargeth ye comen with many beasts. Than the other comiñs may haue this writ against him, & also it may be brought by one cõmoner onely. But than it behoueth to be brought against all ye other commers, against him ye surcharged, for ye that al ye commers shall be admesured, and thus muche he not against him, nor for him ye hath commen inpurtenante or commen in gross, but the whiche haue commen appendant, or commen per cause de visinage. Here the diuersitie of all these commons after

il soit restore al surplusage, et si soit trouue il serra restore.

Admesurement de pasture est vn brief, et gist lou plusors tenaunts ōt comẽ append en auter tre, et lun surcharge la comen one plusors aũs, dõq̃ lauũs comõns poiẽt auer cest brefe vers lui & ayxi puis est port per vn comoner solement, mes dõq̃ couiẽt eẽ port vers tout lauters comiñs & vers cestu q̃ surcharge: pur ceo q̃ toutes les comiñs serõt admesures. Et cẽ brefe ne gist vers luy ne pur luy q̃ ad comẽ appurtenãt ou comẽ en gros, mes c'aux q̃ ont cõen append. ou comen per cause de visinage. vide la diũsite de touts

les comes apres. Auxi est bresfe ne gist pour le seignour ne vers le seignour, mes le seignour puit distrain les auers le tenaunt que sour fait plusage. Mes si le seignr surcharge le commun, le commun nad remedy per le comun ley, mais il auera remedie per bresfe de Subpena in le Chauncery vt dicitur.

Ape priet est, quan accion est pur verisle-fant detenu, que si ad per discrei, la ist mostra la matier al court, & priera que laccion demurra tang a son plein age de xxi. ans. & issint pur gard de courte la suite surcesserā, mes en bresfe de dower &

warde. Also, thys writte lyeth not for the Lorde no agaynst the Lorde butte the Lorde maye vystreyne the beallez of the tenāt that be surplusage. But if ye Lord overcharge the comen, the comoner hathe no remedye by the comō law, butte he shall hane remedy by writte of Subpena in the Chancery, as it is sayde.

Ape pyler ty, when an action is brought against vnte an infaunte of xx yeres that he hathe by dis cret, there he shal shewe the matter to the court, and shall praye y the action shall abyde tyll his full age of xxi. yeares, & so by a warde of the court, the suite shall surcease. But in a writte of Dower and

in

in Assise, and also in such actions where the infant cometh in of his own wrong, he shall not tarde his age.

Also note well, that there be many diuersities of ages, for the lord shal haue aide of his tenaunt in socage for too marie his doughter whē the dougter of the lord is of the age of vii. yeres. Also aide for to make his sōne & heire knight when he is of the age of xxi. yeres. Also a womā whiche is maried at the age of ix. yeares yf her husband die settled shal haue dower and not before ix. yeres. Also. xiiii yeres is the age of a woman that she shall not be in warde if she were of such age at the tyme of the death of her auncestour. But if she were

& en assise, & auxi en tiels actions ou le fant vient ens de son tort demesne, il mane ra sa age.

Auxi nota q̄ sont plusours diūsitiez de ages. Q̄ nar le seigni iour auera aide de son tenāt en socage pur se file marier quāt la file le seigñr est del age de vii. ans. Et auxi aide pur faire sōn filz et heir chiualer quant il est de age de vii. ans. Auxi feme que est espouse al age de. ix. ans si sō ba rō murrust seisy au ra dower & nemy deuāt ix. ans. Auxi xiiii. ans est l age de femme q̄l ne serra in garde si ele fuist de tiel age al temps de mort son auncestor

eſtoun, mes ſi le fuit de ans ag de xiiii. ans & in garde ſon ſeigniour, dempuis el ſerra in gardē al age de, xvi ans, et auxi, xxi. ans eſt lage de heire male de ſtre in garde et aps hors de garde. et auxi il eſt age de male et female de ſuer ou de ſtre ſue des tres q̄ils ount ou eſtmoūt perdiſcent, & de faire touts maners cōtractes & bargains, & nicē deuaūt. Mes ſi ti el infant de ans age de xxi. ans do a ſes bns a moy ſi ico lez p̄ign per force del doñ il auera vers moy vn briefe de Treſpas, mes ſil doñ a moy & eux deliuer a moy auterment eſt.

Ad quod dampnum

within the age of xiiii. yeares and in warde of the Lord, than he ſhall be in warde tyll the age of xvi. yeares, and alſo xxi. yeares is the age of the heyre male to be in warde and after that out of warde, & alſo it is the age of male and female to ſue or to be ſued of landes which they have or claime by diſcent, and to make al maner cōtractes and bargaynes, and not before. But if ſuche an infant within the age of xvi. yeare gene hys goodes to me, if I take them by force of the gift he ſhal haue againſt me an action of treſpas, but if he gene them to me, & deliuer them to me, it is otherwiſe.

Ad quod dampnum

is a writ e inke so that afterwards in the tytle

Adiournement is when ing court is vtterlyned determined and assyg- nyed to be kept against a another place or tyme.

Amendement is when ered is in the pryes Justice may amende it after iudgement but yf errors be in ingemente geuing, they may not a- mende it, but the partie is put to his writ of re- rort, and in many cases loyer the defaut appea- rth in the clerke that hath the the record, it shalbe amended.

Ayde is when tenant for tyme of life, tenant in dower, tenant by

est vn brief, & vide de ceo apres, titulo Quare ex- ceptis.

Adiournement est, quant ascun court est dis- solue et determine & a- signe destre gard a vere al auit lieu mesme.

Amendement est quant errour est in le pries, les iustice poet ceo amen- der apres iudgement mes si errours soyt in iudgement donc ils ne poient ceo amender, mes le partie est mis al briefe de errour, et en plusours cases sur le defaut ap- pierent le clerke que es crever le record, il ser- ra amende.

Ayde est quant vn term- de vie, vn dower, p la

ſue extinct eſt impledo
donq; pur ceo q̄ils nõ
querſuta pour une de
de ceſty ou le reuerſion
conproces ſera ſuit per
briefe ou ils ouſt de ne
ner et pleder ouele te
in defence ad
conisõ q̄ ils recordan
pleigeur fals ariede
pleder tenãt ſera priſe
et donque ceo ide prier
eſt in ſuane mes ſol ne
nient al ſecond brefe
de tenant reſpondera
ſole et ſi tenant a
terme de ſes tenement
potiant ſi per Elegit, et
ſi perſtatus merchant,
auerõt eide de ceſty in
ſa reuerſion et le ſer
tenãt ad baily de leur

eurtrey, where an at tryd
tayle after poſibility of
iſſu extinct is completed
than for that, that they
haue no eſtate, but for
term of life, they ſhall
plaid vp and down in
the court, and prayers
ſhalbe made by iuſtice
againſte him, to come
and plead with the te
nant in the demand of
the land, if he will, but
it behoueth that they
greeth pleg, for if the pe
barp, the pleg of the te
nant ſhalbe taken, and
brought vp and down
voyded, but if he grant
nothing the fat and moit,
then the tenant ſhal
auail ſhote ſole. Alſo te
nant for term of yeres
tenant at will, tenant
by Elegit, and tenant
by ſtatute Marchaunt
that haue made vſe in
ſhert term, and ſuch
haue and baty of their
maiſter

[illegible] they haue
[illegible] any singuler wisl
[illegible] the rych owe their
[illegible] maisters
[illegible]

Aide of the king is in like case as hit is sayde before of a tenant in sample, & also in many other cases where ye king may haue losse, how be it that the tenaunt bee tenaunt in fee sample he shall haue aide, as if a rente bee demaunded against a tenaunt in fee he shall haue aide, and so he shall haue of a tenant per son. Also when a title at bo[illegible] hath a fee farme of the kingnd any thing demaunded against them which belongeth to the fee farme they shal haue aide for the losse of the kinge. Also a man shal haue aid of ye king

maister quant ils ou fait ascun chose loialment in le droit lour maister.

Ayde de roy est in semble case come est dit de tenant de comen person, et auxi en plusours autres cases ou le roy pur it auer perde come ye tenant soit tenant in fee sample il auera ayde de roy si vn rent soit demaunde vers le tenant le roy tient in chief il auera ayde et issint auer ayde de auter person ad auxi lour auera ayde ou bouroun ad un fe farme il ray en ascun chose est demaunde vers eux que appertaine al fee ferme ils auerant ayde pour la perde le roy. Auxi home auera ayde de roy en lieu

de

de voucher. Auxi le
bailif de roy, collectours
& purueiours auront
aide de roy auxi bien
comme les officers de au-
ters persons.

Mile est vn brief, et
vide de rewa pres ceiuto
cesinage.

Arrest est quand vn
est prise & restreint de
son liberties. Et nul
homme ne serra arest pur
dett, tiur, detinue ou au-
ter cause de accion, si
non que il soit per vent
ice du precept du com-
mun clerment hors de
soun county, mais pur tre-
son, felony ou dedauser
le pouere roy ou le
home ad auctorite de
arester sauns garrant
ou precept, mais quant

in the stede of bouche
Also ye kings bailif, c
collectour & purueiou
shal haue aide of ye ki
as wel as the officers
other persons.

Mile is a writ, e lo
therfore after in the t
rle of cessinage.

Arrest is whē one is
ted and restrained fro
his liberte. Also a m
shall not be arested
det, trespas, detinue, o
thor tatle of actiō but
it be by vertue of precep
or cōmaundemēt out
some court but for tre
sesony or breaking of
kings peace euery m
hath auctoritie to arre
without warrante
precepte, but in hun

man shalbe arrested for
felonye it behoueth that
ne felony be done and
so that he be suspected
y same felonye, when
ny man shal bee arest-
ed for felony he shalbe
brought to the Gayle,
ere to abyde tyll the
erte sessions for to bee
dited, or for to bee de-
uered by proclamacion
but if one be arest by a-
ther for suspecions of
ony and no felony be
ne then he maye haue
ainst hym a writte of
is imprisonment.

Annuitie is a certayne
me of money which
graunted to a man in
simple, fee taile, for
me of life, or for term
yeares, to take of the
tenantes or his heyr
so that no free-
holde

home serra arest pour fe
lony, il conuient que a-
cun felony soit fait, &
auxi que il soit suspecte
de mesme le felony, &
quant a ceu home arest
pur felony il serra a-
mesme a le gaile la a
demurrer tanq al pro-
chein cession pur estre in-
dite ou pur estre deliuer
per proclamacion. Mes
si vn soit arest p vn auī
pur suspecions de felo-
ny et nul felony soit fa-
it dāq il puis auer vers
luy vn briefe de faux
imprisonment.

Annuitie est vn certa-
ine somme d'argent q̄ est
graunt a vn home in fee
simple, fee tail, a terme
de vie, ou a terme d'ans
a prender del graunt-
our et ses heyres
issint que nul fraunk-
tenē

*Remembrez ch. 2 gyde
-ceode q home murera
omynes assesne auter
accion real sous le breve
de annuitie, et nest
pas assez al bayle le
graunt a que il deser
vera.*

*Appelle est lou vn ad
ſhal murdere robbers
ou felony, dompnes la
feme cesty qui est une a
uera vne accion de ap
pel vers le murderer,
mes sil mad feme. Dōq.
si prochein heire qui
est male auera le appel
a ſauntempsdeins la
ꝛeion apres le fait. Et
auxi cesty que est issint
robbe auera son appel
deins mulaūpa. Auxi
ſuppose si le desseisor
qui est al rekouera dam
mage mais le appellour
et*

holde is charged ther
wherof a man shall
ter bius affise nor
ther action reall e
none ellary to the
the graunt to whome
that obteny

Appeall is where o
hath done murders, t
berye, or felonye, that
wife of him that is sla
shall have an action
appeal against the mu
derer but if he have
wife, then his next he
which his male, shal h
ue the appeal at any t
within the yeare e day
after the dede, and al
he that is so robbed, sh
haue his appeale wit
in the same time. A
in appeale, if the defen
dant be acquited he sh
recouer dammages
gainste the appellour
an

and the abbettours, and they shall have a benyt ornment of a peare, and shall make fine to the kinge.

Also an appeale of mahem, is not in man ner an action of trespas he shall not recover dāmages, but if he hath a protection it shall not be allowed.

Assets is when a tenāt in the taile, or a man sei sed of certaine landes in fee of his wife alie nate by lāde with warranta ty hath lāde in fee sim ple which descēdith to his heire which is also heire in the taile or heir of a woman, it is as much in value as y other lāde in such case if any suche writes bringe a writte of mesnemen, or a waste or other writte vpon y lāde alienede, thā he shalbe barred

et l'abbettours, et ils ne aurons l'emprisonment du an et ferront fine al roy.

Auxi un appell de ma hem est in manier forsque accion de trespas quar il ne recouera forsque dam: mes si il gist vn protection il ne serra a lawe.

Assets est quant ē in le taile ou home seise de certein terre in droit sa femme alien la terre ove garrant ad terre in fee simple que descende a so heire que est auxe heir en taile ou heyre al feme et quel est tant en value qui lande tre in nul cas si al cun tel heir a personal bref de forme dā ou briefde sin cuiā vna aut plusieurs ffitz abjuncta ils serra barre

Barre per reason de cel
garrantie Pour ceo que
il ad ceſt terre iſſint a
luy descendus que eſt
tayllé en nature, et pour
ceo ceſt terre eſt dit vn
asſets. Auxi asſets eſt
quant home eſt obligé
en aſcun especialtye &
mortreſt ſeiſye de ter-
res en fee ſimple que diſ
cente a ſon heire ce ter-
re eſt appell asſets, pour
ceo que ſon heire ſerra
charge de payer le dyt
der, ſi les executours ſo
auncestour nount rien
de pater.

barred by reason of
warrantie for that
he hath this land so
descended wbiche is
much in value, and
this land is called a
sets. Also assets is
man is bouden in
especialtie and die
seysed of landes in
simple wbiche de
deth to his heir, this
is called assetes for
that his heire shall
charged for to pape
sayde det, if the spe
tours of his auncest
res haue nothinge
paye.

Aſſiſe eſt vn brief de
giſt on aſcun home eſt
mis hors de ſon terre ou
tenements ou de aſcun
profit a prender in cer-
taine lieu et iſſint diſ-
ſeiſee de ſon franktenee

Assise is a wrytte
it lieth where any
is put out of his land
or tenementes or of a
profite to bee taken
certaine place and so
seised of his free hold

witte

ment. Franke tenement
a ceux home est lon
lest seisie ut reuers, ou
tenement, ou prese
prender in fee simple, fee
taile, pour terme de
vie dautruy, ou pur
terme dauntr vie, mes te
nauntz per ledit, ou ses
tenes marchaunt, ou ste
tute staple poient auer
assise comes quels nom
franktenement et ordeyne
par diuers statutes.

Auant in assise il conis
ence reuer fuire que il
soit vn desseisone ra
uant, ou vn entrement le
briefe abate. Auant vn
vn home est desseisie de
terres ou tenements par assise
de nouel disseisine puis
est auer fait disseisie
par mesme le disseisone
il auera terres luy vn
briefe

bridge de rendre disseisi indi
rectement al mad. de faire
inquisicion et si trouue
soit le rendisseisi ad sa ra
mis in prison. Quar si
home recouere a briefe si
assise de mort dauncestre
en pur auter auerry ou p
default, ou ad dicion et
il dit auter soit disseisi
sire il auera dont vn
brief de post disseisin
et cest qui est pris et
emprison pour le disseisi
sin ne serra deliuer sans
especiall commandement
de roy ou de lour iustices
ill. Mar. bridge. ma
ster. Quar il fut en assise
appell esse de fresche
force, et gist son home a
disseisi de ceux mesmes
que ceux sont de vn sable
come in la cite de Lon
dres

boroughes
or cittiies that be franch
chises, theyne the bail
shall come into ye compte
of the sayd towne and
enterprise plaintife shall
[illegible] directed to
the maire or baylifes
[illegible] upon ouertyrpe
shall plaie in maner of
assyse of nouell disseisin
but it behooueth the
[illegible] doe rifter hys
[illegible] within pli daies
[illegible] sayde, or otherwise
[illegible] shall be sente to
the comon lawe. And
[illegible] officers delay the
execution then the plein
tife shall haue another
writ to haue execution
[illegible] a Sicut alias and a
Pluries &c.

Assise of Darrayne
presentment, loke ther
of after in the tytle
Quare impedit.

*dxes ou auũs boroughes
ou villẽ est infra an-
chise, dong de des ma-
endia en la court de dit
vill & entra a plein,
et aurra vn briefe di-
rect al Mayre ou bay-
lifes &c. et sur ceo pas-
sera vn iury in maner
dassise de nouel disseisin
mes il conient quil
entra son pleyn deyns
xl. iours vt dicitur ou
autrement il sera mys
a le commen ley Et si
les ministers delay ex-
ecution, donques le pl.
auera vn auter briefe
dauer execution, et Si-
cut alias & Plures
&c.*

*Assise de darraine
presentment. Vide de
ceo apres titulo Quare
impedit.*

Assise de mortdaun-
cestor. Vide de ceo apres
titule Cosinage.

Attournement est
quant vn est tenant per
termede vyes, & cestuy
en la reuersion q̃ ad le
fee simple grauna son
droit & estate a vn an-
ter, doq̃ il conient q̃ le
tenant pur terme de vie agre
a ceo, & cest agrement
est appell attournement
cuiusi cestuy en le reuersi-
on graunt son estate &
son droit a vn anter, si
le tenaunt pour terme
de vie ne attournast, ri-
ens passa per le graunt.
Mes sil soit graunt per
fine in court de record,
il serra compell de at-
torn. Et vide de ceo a-
pres titulo Quid iu-
risclamat.

Assise of mortdaunce-
stor. Looke thereof
after in the title Cosin-
age.

Attournement is
when one is tenant
for terme of lyfe, and
he in ye reuersion, that
hath the fee simple graunteth
hys right & estate to
another, than it behou-
eth the that be tenant
for terme of lyfe agree
thereto, & this agrement
is called an attournement
mente, for if hee in the
reuersion graunt hys
state & hys right to an-
other, if ye tenaunt for
terme of lyfe attourne
not, nothinge passeth
by ye graunte. But if
it be graunted bye fyne
in courte, of record, he
shalbe compelled to at-
tourne, & looke thereof
after in ye title Quid
iuris clamat.

At-

Attaint is a writ, & it lyeth where false verdyt is geuē bye. xii men, & iugement geuē therē, than the parte agaynste whō they haue pased shall haue this writ agaynste the other parte & agaynst ye xii. men, & when they bee attaint, it shall bee tried by xxiiij. iurors, & if the false verdyt be found, ye xii. men bee attaint, & the ye iudgement shall be that their mynoures shall bee eyted, their houses broke down, their woodes turned vpe and all their lands and tenementes forfayted to the kynge but if it passe agaynste hym ye brought that time he shall bee imprisoned, & grieuously ransomed at ye kinges wyll.

Attaint est vn brief et gist lou false verdit donep. xii. hoes, et iugemēt done sur ceo, donq le prise vers que ils auoient passa, auera cest brefe vers le. xii. hoes, & quant ils sont a issue il serra trie per. 14. iurors, et si faux verdite soit troue, les. xii. iurours sont attaint, et donq le iugement serra q lour precs serrot arres, lour measos debruses, lour bois surueiss, & touts lour tres & tenementes forfaits al roy mes il passa encontre celuy qui port l'attaint il serra imprisone & grieusement raunsome al volunte le roy.

Attaint also is wyte

Attaint auxi e quant

Iudgement est done in treason ou felony.

Auncien demesne sont certaine tenures q̃ sont tenus de tiels maners queux fueront en les mayns de seint Edward le confessor, et les q̃ux il fist escrier in vn liure appel domes day, sub titulo regis et toutes les terres tenus del dit maners sont auncies en demesne, & les tenants ne serrõt impled. hors del dit maner, & s̃ils sont, ils poiet monstre le matter et abater le briefe, mes s̃ils respond al briefe et plede et iudgement done, dõques les terres sont devenus frank fee a touts iours. Auxi touts tenantes in auncien de-

iugemente is geuen in treason or felonie.

Auncien demesne bee certayne tenures whiche bee holden of suche maners whych were in the handes of sayntt Edwarde the confessoure, and the whyche bee made to be written in a booke, called Domes daye, sub titulo regis, & all the landes holden of the sayde manours bee auncien demesne, and the tenaunttes shal not be impleded out of the sayde manour, and if theye bee, theye maye shewe the matter and abate the writte, but if theye answere to the writte, and iuge-ment geuen, than the landes become frank fee for euer. Also ye tenaunttes in auncien demesne

mesne bee free of toll for all thinges concerninge their sustenance and husbandry in auncien demesne, and for suche landes they shall not be putte nor impanelled vppon anye inquiste. Loke more thereof after in the tytle Monstrauerūt, also all the landes in auncyen demesne in the lordes handes be frank fee and pledable at the comen lawe.

mesne sont frāk de toll pur tous choses concernānt lour viand. et husbandry in auncien demesne. et pur les terres ils ne serront mis ne impanell sur aſcun inqst. Kide plus de ceo apres titule Monstrauerunt. Auxi toutes terres in auncien demesne en la mayne le seignior sont frank fee, & pledable al comen ley.

Audita querela is a writte, e si lieth where one is bounde in a statute marchaunte, statute staple, or recognisaunce, or iudgement geuen agaynste hym, and his bodye in execucion thereuppon, than yf he haue a releas or other matter sufficiente to bee dyſ-

Audita querela est vn brieſe, et gist lou vn est obligé in vn statute marchaunt, statut staple, ou reconisaunce, ou iudgemēt donc nas luy & son corps in execucion sur ceo, dons que s'il ad vn releas ou auter sufficient matter deste dyſcharge del

execution ne mes nad iou de ceo pleder, donques il auera cest brief vers cest y q̃ ad recouer, ou vers ses executours.

Auerment est, lou vn home plede vn plee en abatement de brefe ou barre daction, q̃ il dist il est prest de prouer cde le court voit agarde, cest offer de prouer son plee, est appell vn auerment.

Auowrie est, lou vn prist distres pur rẽt ou autre chose, & lauter sou Replevin, donques celuy qui auoye prise justifiera en son plee pur quel cause il prist et issint auera le prise et ceo est appell son auowrie.

charged of execuyon, butte hathe no daye in court to plede it, than he shal take this writ against him that hathe recouered, or against his executoures.

Auerment is where a man pleadethe a plee in abatement of the writ or barre of the action whiche he saieth he is readye to proue as the court will awarde, this offer to proue hys plee is called an auerment.

Auowrye is where one takethe a distresse for rẽt or other thinge, & the other saieth replevin, thã he y hathe taken it, shall justifie hys plee for what cause he toke it, & so auowe the taking & that is called his auowry.

Alyon

Alyon is he of whom the father is borne, and he himselfe also borne out of the legeance of the king, but yet alyon come and dwell in England, which he is not of ye kingdomes, an alyene, his issue, issue alyon but engliche man, alio ifan engliche man, gue viuer the sea with the kings licence and there hathe issue, this issue is not alyon.

Appropriacion is when an house of religion, ye is to saye, an abbot or prior, which is chanon hathe the adoweson of any personage and obtayne licence of the pope and ordinary, ye it shall be from thence forth the appearinge, and that the vicare shall haue

Valion est celuy de ceste lieu est nee hors de l'ligeance auxi nee hors del ligeance de nostre seigneur le roy mes sur mal vient et demurr en Engleterre que est del meynes de roy et ad issue et issue nest alion ainsi engleys. Ainsi si vn anglais nate ausi ter meer ou el licence le roy et la demeure, cest issue nest alien.

Appropriacion est lorsque vn meason de religion s. vn abbe ou vn prier souerain et le conuent ou vn deuoison de aucun personage et obtain licence del Pape et del Ordinary, que sera de lora vn vicarage, et que le vicar auera vn certaine porcion del

benefice, et que labbe
& le conuent serront p-
sonse aueront les au-
ters profites, cest appell
un appropriacion, & -
dong labbe et le conuent
serront persones inper-
sones, mes tiel appro
priacion ne puyt estre
fayt a commencement de
vie le person sauns son
assent. Mes si tiel ad-
uowson del parsonage
soyt recouer par auncien
tytle, dong lappro-
priacion est adnul.

Aduowson est, lan
ascun home et ses hei-
res ad droit de presenter
son clerke al ordinary
a ascun benefice de seint
eglise quant il est void,
dong celuy qui adit
droit, est appell patron,
mes nul lay home puis

certaine portion of the
benefice, and that the
Abbot and the Conuent
shall be persones, and
shall haue other pro-
fites, this is called ap-
propriacion, and that
the Abbot and conuent
shalle be persones in per-
sones. But tiel ap-
propriacion maye not
be made to begynnyng
the life of the per-
sone without his assent. But if such a
bawson of the parsonage be recouered by
auncient tytle, then ap-
propriacion is annulled.

Aduowson, is when
anye manne and his
heyres haue right to
presente his clerke to
the ordinary to ma-
benefice of holye chur-
che when it is voyde,
then he that hath such
right, is called patron,
but

but to lay men may
haue the bowson of a
vicarage.

Barre is when the de
fendant in ange action
pleeth a plea which is
a sufficiente answere
and that distroieth the
action of the plaintyse
forever.

Battell is a tryall
by fightynge. betwyne
parsons, and thys tryal
maye bee in a writte
of right, and in appelle
of mourder or felonye.
But if one be indyted
of felonye, & after the
parte bringeth an ap
pell vppon the indite
ment, then the defen
daunt shall not wage
battaile.

Bastarde is he yt is
begot of ange woman
not

auer sadugmon dascun
vicarage.

Barre est quant le de
fendaunt in ascun ac
cion pleede vn ple que est
sufficient respons et ceo
adnul lacccion de pla
intes seurs.

Battel est vn triel par
combater que serra entre
deux persons et cest
triell puis este in brefe
de droit et in ap
pell de murdure ou fe
lony mes si vn fort in
dite de felony et puis
la parte pora appell sur
le ndtement, donques
la deffence gagera bata
le.

Bastarde est celuy q̃
nee dascun femme ny
ent

cent espouse et q̃ son pere
nest conus per order del
lay et pur ceo il est dit
filius populi mes per
le lay de sainte eglise si
vn engender vn infant
sur a feme feme et est
nee hors de espousels et
puis il mary ne sone la
feme donques ciel infant serra dit mulier et
nemy bastard de mes per
le lay de englisterre il est
bastard et pur ceo quant
ciel especialt bastardie
shall bedge el serra trye
p puis vn nemy p lonesse
mes general bastardye
serra intepre ceo ne sera
[illegible]
Auxi si vn feme sait
grose de enfant une son
[illegible] baron de ui
[illegible]

not married that hys
there is not knowne
the order of the la
and therefore he is ca
led the childe of the p
ple. But bye the la
of holye churche p
gette a childe bypon
woman and is bo
out of wedloke
he marye the same wo
man, then such a childe
shall not said mulyer
not bastarde. But
the lawe of Englande
it is bastarde, and
whan suche spectatl
thing is alleged, it sh
be tryed bye the cou
so and not by the
chyppe. But gene
bastardye alleged
be tetendy the ecclesi
cal court be bishop.

As if a woman
great with childe wit
her husbande and
husbandes pyeth, e she
tak

take another husbande and after the childe is borne, that the childe shalbee saide the childe of the furste husbande. But if she were pryuiye with childe at the tyme of ꝑ death of her furst husband, then hee shalbe saide the childe of the seconde husband. Also if a manne take a wife whiche is greate with childe wiche another that was not her husbande and after the childe is born within ꝑ espousels than he shall ber saide the childe of ꝑ husbandes, thoughe it were born but one day after the espousels solenisat.

Burglarye is when one breaketh & entreth into a mutherman's house in the night to ꝑ ēt̄t to steele goods: whiche case

et el prist auter baron et apres lenfaunt est nee donques lenfant serra dit lenfaunt le primer baron, mes si el fuit prienement insent al temps del mort son primer baron, dōques il serra die lenfant le second barō. Auxi si vn home prēt feme que soit grosemēt insent ouc ascun auter que ne fuit son baron et puis lenfaunt est nee de ins les espousels doq, il serra dit lenfaunt le baron mesque il fuit nee forsque vn iour apres les espousels solempnes.

Burglarie est quaunt vn debruser & entra in le meason vn auer en le nuiete a lentent pur embleier biens in quel

case

case mesque il ne impor ta riens vnque il est felony, et pur ceo il serra pendu, mes le debruser de meason in le iour pur tiel entent nest point felony.

case thoughe bee ban away nothinge, yet is felony. And for the bee shall bee hange butte the breakinge an house in the day for suche intents is felony.

Capias, vide de ceo apres in la title proces.

Capias looke for after in ye tittle proces.

Champertie est vn briefe et gist lou si homes sont impledantes et lun donc la moite ou pte del chose in ple a vne straunge pur luy maintener incontre lauter donques le partie grevie auera ce ſt briefe de vers le ſtrange.

Champerty is a writ and it liethe where men bee impledinge one giuethe the half or parte of the thyng in pleete a straunge for to maintetaine hy agaynst the other, the the party greued shal haue this writ against the straunger.

Charge est lou vn hõe graunta rent ſſ̃ut hors wel ſoun terre et quesi le rent soit arere que il

Charge is where a man graunte the rent going out of any grou unde ye if the rent be

behinde that it shalbee
lawful to him and hys
heires and assignes to
distraine till the rente
be payde. This is cal-
led a rente charge, but
if one graunte a rente
charge out of the lande
of another and after
hee purchase the same
lande, the graunte is
voyde.

list a luy et ses heires ou
assignes a distraindre tãq
le rent soit paie, cest ap
pell vn ret charge, mes
si vn graunt vn rent
charge hors de terre vn
auter & puis purchas
mesme le tere le graũt
est voide.

Cessauit is a writte
and it lieth wher mye
lorde tenaunt wh ye
holdeth of me certaine
landes and tenementes
reddyng certeine rente
vpon the yeare and the
rente is behinde not
payde bye .ii. yeres and
no sufficient distresse
may be founde bypon
the lande than I shall
recouer the land, butte
if ye tenant cme into the
court before the iudge-
mente geuen and find

Cessauit est vn briefe
& est lou mon very te
naunt que tient de moi
certeine terre, ou tents
rendaunt certein rent
per an et le rent est arere
nient paya per .ii. ans et
nul sufficient distres
puit este trouue sur le ter
re, doques ieo auera ce
briefe per que ieo recou
uera le terre, mes si le te
naunt vint in court de
uant iudgement donne

the

et

et rend les arerages & les dam et troue sweritie que il ne cesser a plus de payment de dit rent ico serra compelle de pnder les arerages et les dam et donques le tenant ne perder a le terre Auxy le heire ne puit mainte ner cel briefe pur cesser fait in temps son aun- cestour. auxi cest briefe ne gist mes pur annuell seruice cōe rent et hmōi et nīcē pas pur homage & fealtie.

Auxi il yad vn auter briefe appell cessauit de cantaria & gist ou vn donc terres a vn me a son de relegion a trouer pur lalme de luy et de ses auncestours et de ces heires auuncliment vn chaundell. lampe in

the arreragis and the
dammages and the
suertie that he the
cesse noe more in
ment of the sawe rent
shall bee compell
to take the arreragis
and the dammages
then the tenaunt sha
not lose the lande.
so the heire maye n
maintayne thys writ
for the cesser made
the tyme of hys aun
cestour: also this writ
lyeth not butte for an
nuel seruice as rente
suche other and not f
homage & fealtye.

There is also an
ther writ called cessa
uit de cantaria and
lyeth where a man g
uerne lande to an hou
of religion to finde f
his soule and his aun
cestours and hys he
res yearlye a lampe
th

her bureue, or to saye
ferule, or some
thinge, then no
said charge be not
in three yeares,
the dowrour or
ayres shall haue
against whosoe
is in that house at
suche cesure.

Challenge is where
jurours appeare for
any issue, if anye
the partyes suppose
they are not in
them challenge
refuse. Bute there
be diuers challenges,
challenge too
traye, and ye other
the polles. Chal
too chartraye ye
the panell his
ably made bye
or other officer.

Chal

eglise ou parsayre a
ceu diuine seruice ou
anter. chose donques
les dits charges ne sont
pas fait per iii ans de
quesi le donour ou ses
heires aueraccesse ceo
vers quecunque que est
eins apres sicle cesser.

Challenge est lou iur
yours apperaunt pour
trier a ceu issue si a
cun des parties suppo
sont que ils ne soient p
indifferent donques ils
poient ceux challenger
refuser mes sovent dauers
challenges, ne est chal
lenge al array et lauū
ale polles. Challenge
al array est quaunt la
panel est fauorablement
fais par le vicounte
ou anter officer.

challeng.

Challeng par le plaintif, aſcuns ſonnt principal et aſcuns per cauſe. Principal eſt come adire q̃ vn des iurrours eſt le fils, frere, ou couſine al pleintiſe ou deffendant, ou tenant en lay, ou que il auoit eſpouſe la file le pl. & pur ceux cauſes il ſerra retrayt. Auxi in ple de mort de home & in cheſcun accyon reall & auxi in cheſcun perſonell ſi le dette ou dammages amount a xl. marke il eſt bon challenge que il ne puit diſpender xl. s. per. an de frank tenement.

Auxi challenge per cauſe eſt come ou le pty alledge vn matter que neſt principall challēge come adire que le iurs vn des iurrours ad eſ-

Challenge bye the p
les, ſomme are prin
pal, and ſome by ca
Principall is as to
that one of ꝑ Jurrou
is the ſonne, brothe
or coſin to the pleyn
tyſe, or defendant
or tenaunte to hym
that he hathe eſpou
the daughter of t
plaintiſe: and for the
cauſes he ſhalbee in
drawne. Alſo in
plee of the death of
man, & in euerye oth
action real, and alſo
euery perſonell, if t
det, or damages am
unte to xl. markes
is a good challēge ꝑ
cannot diſpend xl. s.
ꝑ yeare of free hold
Alſo challenge by ca
is as wher ꝑ ptye doth
allege a matter whic
is noe principall ch
lenge, as to ſay ꝑ ꝑ
of one of the Jurour
hath

[illegible] the plaintiff be [illegible] conclude, and [illegible] to the same [illegible] [illegible] [illegible]

[illegible] bill in the Chancery [illegible] matter in [illegible] shall [illegible] in the Chancery [illegible] conscience [illegible] bill [illegible] bill [illegible] Proceed [illegible] the [illegible] plaintiffs [illegible] Kings [illegible] & [illegible]

[illegible] Assise [illegible] bill [illegible] plaintiff [illegible]

[illegible] bill [illegible] matter of [illegible] bill [illegible] Chancery [illegible] bill [illegible] otherwise [illegible] bill [illegible] Proceed [illegible] the [illegible] plaintiff [illegible] bill [illegible] the [illegible] bill [illegible] the [illegible] bill [illegible] the

by thassise, then if the
tenant [illegible] a certaine
[illegible] to
[illegible], [illegible] shall [illegible]
this wast, and the [illegible]
iurours shalbee war-
ned [illegible] before
the [illegible] and part
[illegible] also, the [illegible]
[illegible] that the
[illegible] as the [illegible]
are true and good
[illegible] recouer [illegible]
[illegible] shall yeld [illegible]
the damages and shall
[illegible] the [illegible]

Chymenist is the [illegible]
[illegible] where [illegible]
[illegible] the [illegible]
[illegible] bia regia
[illegible] the [illegible] hatch
[illegible] the [illegible]
[illegible] passage [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible]

de ſayle et toutes les
fruites creſſeants la come
arbres et auters chos-
ſes.

Con ſubtrahendis &
ſeruiciis eſt vn briefe
en eſt lou ieo ou mes ad
ceſtuy a depuys la ſy-
nyfiacion de aſſiſe fu-
ime ſeiſy des cuſtomes
ou ſeruices non tenat
Mes devant donques
pur recouer les ſeruic-
ces, ieo auer eſt briefe
A vn vile tenaunt puis
auer eſt briefe en ſon
ſeignioure, mes aps q̃
le tenaunt ad conut le
ſeignioure defen les mo-
ſes del count et repliad
ad ceſt a q̃ il ne diſtreins
pour les cuſtomes donnt
le counte eſt, et dony, il
counter a tout le counte
des cuſtōes et ſeruices,

of the ſoyle and all the
profitt growing out
of the ſame arbors
and other things.

Cuſtomes and ſer-
uices is a writte ad-
mitted where a man
auncetrours after the
inuyacion of a lyfe were
not ſeiſed of the cuſ-
tomes or ſeruices of
the tenant, but before
then for to recouer the
ſeruices I ſhall haue
this writte. Alſo the te-
naunt maye haue this
writte againſte his
Lord butte after the
tenaunte hathe de-
clared the Lord ſhall
defende the woordes
of the declaracion and
replevine ſhall doe
that he diſtreyned not
for the cuſtomes mentio-
ned in the declaracion, the
other he ſhall declare
al ye declaracion of cuſ-
tomes

termes and seruices, &

Continuall claime is where a man hathe power to enter in certaine landes where an other is seisie in fee simple or fee taile, or else hathe not entre for feare or dearynge, but approcheth as nigh as he dare and maketh claime thereto moryes the yeare and daye. Hereby he preserueth the landes from ye vsurpeo, and his heir may entre vpon ye vsurpeo, yet he that maketh ye such claime maye entre vpon ye vsurpeo notwithstandyng ye incents, for that he hathe made suche continuall claime, but

& donques le tenaunt que fuit actor deuiendra auc fet & fendra per bataile ou graunde Assise.

Continuall claime est lou home ad droit dentre en certain terre dount vn auter est seisye en fee simple ou fee taile, & il ne ose ent entre pur doute de battery, mes approche auxi pres come il ose, et fait claime a ceo dins ban & iour deuant le mort de cestuy qui ad la terre deuie seisy, et son heire eins per discent, vncore cestuy q fait tiel claime peut enter sur lheyre, nient contrestant tiel discent, par ceo que il a fait tiell continuall claime, mes il conient

que cest claime toutes
fois soit fait deyns
lan & iour devant
le mort le tenant, car
si le tenant morust
cestuy deyns lan & iour
apres tiel claime fait et
encore il ne est entet,
donq il consent a ce-
stuy qui ad tiel droit de
faire auter claime de-
yns lan et iour apres le
primer claime, & a-
pres tiel second claym
de faire le tierce claim
deyns lan & iour. Et il
poet estre juet de lauet
son entre, mes si vn di-
sseisour devie cestuy de-
yns lan & iour apres
le disseisin & nul claime
fait, donques tenite le
disseisy est tolle, car
lan et le iour ne serra
prise de temps de title
dentre a luy accrues.

tenant to it ought
naut bye tened
a perce a pay after the
claim made and
nor not entet, mais
he dying the man
bathe such right
to another claim
made a second claim
made and entered
he by mishe have
entre but
and disseisor
claime made, mais
after a tiel no
taken and pay hath not
taken, donques the
or the title of the
to him growen,

mes tant pleinement de temps del prim claim per tiy faite home est auntant.

Conusaunce de plee est vn priuilledge que ascun citie ou vill ad del graunt le roy de tener plee de tous conteures et distrees deins le precinct de lur franchises et quant ascun home est impled de pur ascun tyel chose en le court de roy, que les maires ou bailiffes de tel franchises poient demander conusaunce del plee. s. q le plee et le matter serra pled et determine deuant eux. Auxi conusaunce ne gyst in prescripcion, mes ils coueient monstre letters le roy.

Conspiracie est vne brieſe, et gist lou deux ou plusors ālen taleirent per ſeremēt, couenaunt, ou auter maner aliance, que chescū aidera auter pur inditer ou appeller aſcun home de felonye, dong, celuy qui est per tiel maner indite ou appell, auera cest brief, mes cest brief ne gist vers le ditoures.

Collusion est lou vne action est port vers vn auter per ſon agrement demeſne, ſi le pleintife recouer, tiel recouere est dit per collusion.

Comen est le droit q̄ home ad de mitter ſon beaſtes a paſture, ou de vſer & occupier le tre q̄ nest ſon propre ſoyle.

Conspiracye is an inquite and it lyeth to iudge if one two kinsfolke themselfe together bye othe, couenant or other manner of alyaunce that euery one shall helpe other or to endyte or to appell any man of felonyes hee that is by such manner endyted or appelled shall haue this inquite yeuen against the iudytoures.

Collusion is when an action is done by againste another by his owne agreement if the plaintife recouer than such recouery is called by collusion.

Comen is the right that a man hathe to put his beastes to pasture or to vse and to occupie the ground that is not his

his owne. Also there be diuers comens that is to saye, commen in grosse, commen appendaunt, commen appurtenaunt, and commen be cause of neighbourhood. Commen appendaunt is when a manne is seised of certayne lande to the whyche he hathe commen in an other groundе all those that shall hee seised of that lande shall heue the sayde commen in the all manner of beastes that be compriseth vpon the erthe, geese, ducks, and hogges. Commen in grosse is where I by my deede graunte to another that hee shall heue commen in my land. Commen appurtenaunt is in the same manner as commen appendant but it is with all manner of beastes,

A vn ison dieuers comens. Comen an grosse, comen appendaunt, es comen appurtenaunt, et comen per cause de vesinage. Comen appendaunt est lou home est seisie de certaine terre a quel il ad comen in auter soile et toutes ceux que serront seisye del dit terre auerons le dit comen ouesq touts bestes que cōpost. sa tie except ensoux chiuers, et porceaux. Comen in grosse est lou je per mon fait graunt a vn auter que il auera comen en ma terre. Comen appurtenaunt est in mesme le maner come comen appendaunt mes est ouesq touts maners des auers

Come

Comen par cause d. vis
vage est lou les tenants
de deux seignours que
sont seisies de deux vills
dont lun est pris lau-
ter & chescun de cux
ount vse de temps dont
memorie ne court de a-
ner com in in auter vil
ouesque touts beasties co
mounable.

Confirmacion, est
quanut vn fait vn fait
a vn auter bune, et ses
parols ratificasse, ap-
probasse, et confirmasse
es in ascun cas vn fayt
de confirmacion serra
bon & auailable tou
vnteleas ne serra auai
lable come si ceo fust les
se a vn par terme de sa
vie le quel lessa a terre
a vn auter pur terme
de xl. ans. & ieo cōfirm

Commen bye cause
neighbours house
where the tenants
of it. Lordes bye
or seised of two tow
where one seed mu
another and euery
them have vsed for
cut time whereof
memorie cometh to ha
come in y other towns
with all maner of beasties
commable.

Confirmacion is w
one maketh a bease
another wito these wo
bee, ratificasse, app
basse, et confirmasse
And in the cas a d
of confirmacion bee
be good and auailable
where a release shall
not bee auailable, as
I make a lease for
for terme of my life
who leaseth the land
to another for terme
xl. yeares, and I con
firme the estate of the
tenant

tenaunte for terme of
yeares, and after the
tenaunte for terme of
life, yet the parties the
terme of xl. yeres, whyc
confirmation made bee
before the tenaunte for
life, or after the tenaunte
for terme of yeares, yet
the tenaunte for terme of
yeares, or tenaunte for
life, yet the tenaunte
for terme of yeares, or
tenaunte for life, yet
the tenaunte for terme
of yeares, or tenaunte
for

confirmacion droyt
estate en fee simple pur
ceo que le disseisour a
noie fee simple al tẽps
de confirmacion quar
chescun disseisour ad
fee simple mesque que
il est droyt. Auxi si
ieo desse terre a un pur
terme de sa vie et ieo
confirme son estate a
luy et ses heires et luy
confirmacion quant a ses
heires est voide. Si ceas
ieo dare a luy et ses
mesmes les terres a luy
et ses heires ce confirma
cion dunes a luy vnes
simple pur ceo que ces
parols ne le forbe en
ne a lestate et pour ceo
il est bon in chascũ fait
de confirmacion dauter
ces parols auter et ter
ner les terres.

confirmacion a right
full estate in fee simple
because that the
disseisour hathe fee
simple at the time of
the confirmacion. for
euery disseisour hathe
fee simple all hough he
bee not rygbte full.
as if I leasse lande
vnto one for terme of his
life and I confirme
his estate to haue and
holde bys estate
bym and bys heires
this confirmacion
to bym and bys heires
but if I leasse
and bolde the lande
to bym and bys heires
this confirmacion
is voyde. Yet if I
geue to bym and to
bys heires the
lande and not too
and therfore it is good
in euery poche of con
macion too haue the
woodes too haue and hold
the landes.

Counterple is when one bringeth an action, and the tenaunte or his ministers, and he vouchethe or calleth for any manne to warraunt his title or maketh in aydes of another which hathe better estate then hee, as a man that is in the reversion, or if on that is a stranger to the action come and praye to bee received to saue his estate if the demaunt replye thereto and showe cause that hee ought not to bee vouched or that hee ought not of such one to haue aydes, or that hee ought not to bee received, this is called a counterple.

Counterple est lou vn port vn accion et le tenaunt ou son respons et ple vouch ou appel pur aeuin home pour garraunt son title ou prayer aide de auter que de meilor estate come de cestyui a reuersion ou si vn estrange al accion vient & prayera deste receu de sauer son estate si le demaunde replye a ceo et monstre cause que il ne doit isel home vouscher ou que il ne doit de isel home tyd auer ou que isel home ne doit este receue lest ple est appel vn counterple.

Consultacion vide de ceo apres titulo prohibici-

Consultacion, looke therefore after in the

bicion.

Contribucione facien
da.est vn briefe et gen
lou iount diuers parce
persee celuy que ad
launciens parte fay
sant lesuis de ses gentil
les auers doient faire
contribucion a luy et
sils ne veulent sla
uer a vers eux le dyt
briefe.

Contract est vn bargen
ou conuenant q inter .ii.
parties ou a cun chose
ad dune pur auter q est ap
pel quid a quo quar si
vn home fait puise a
moy q ieo auera .xx.s. et
que il voit este det a moi
de ceo et puis ieo demad
le .xx.s. et il ne voile a
may deliuer vncore ieo
auera iammais accion

title of prohibicion.

contribucione fac
enda a vn certe aut
ere auers ceux
priers parteners a
noble o bache ou aucun
pre pueu make il ple
ta ryc lorge, the pe
ang yt to make contri
bution to him, it to
will not, bee that ha
against form the sta
waitte.

Contracte is a ba
gayne or couenant b
twene .ii. parties wh
one thing is geuen
another, which the
lea quid pro quo, my
a man make promi
to me y I shall have
s and that bee will
det vnto me, I
and after I ask y
s and bee will not
liuer it, yet I shall
uer have no action

for to recouer thys.xx. s. [illegible] that that this pro[illegible] was no contracte [illegible] nudo pacto non [illegible] contracto: but if any [illegible] were greuen for the.xx.s. thoughe it were not but to the [illegible] of a penye then it was a good contracte.

pour recouer ces.xx.s pour ceo que ceste promyse ne fust contract mes nudus pactus. Et ex nudo pacto non oritur actio mes si aucun chose fust donn pr. le xx.s. mes que si ne fust fors [illegible] al value de vn denier adonques il fust bon contract.

Contra formam feoffamenti is a writte and it lyeth where a man hereto fore the statute of quia emptores terrarum intitulyne an other seruice to hym certaine [illegible] if the tenante [illegible] hym a non other seruice thanne is tempore [illegible] the breue thanne [illegible] [illegible] [illegible]

briefe deins le fait. mes
cest briefe ne gist pas le
plaintife que claime
per purchace, mes par
le plent, que claime cōe
heires al primer feffe-

Contra formam col-
lationis est vn briefe
& gist lou home done
terres in perpetual al-
mosne a aucun mesaon
de religion come a vn
abbe et la couent ou au-
ter soueraine, et soue-
nant de trouer certaine
poure homes ou de fair
auer certaine deuine
seruice sils alien les
terres dauntes le donor
ou ses heires, auctons
le dit briefe pour recou-
uer le tere mes ce brief
serra tousiours porte
vers labbe ou son suc-
cessour & nonque vers

passed without p̄ herof
but this writte lyeth
not for the plaintife
which claimethe
purchase, butte for the
plaintife which claime
methe as heyre to the
first feffe.

Contra formam
collationis is a writte
e it lyeth where a man
geuethe landes in per
petuall almes to any
house of religion
to an abbot and to the
couente or other
ueraine, and his cou
to finde certaine poo
men or to doe other
uine seruite if they a
lyen the landes then
the donour or his he
res shall haue the lan
writte for too recou
the landes, butte the
writte shal bee alway
wrongute against the
abbot or his successor
and not against the
al-

alienie although that he bee tenant, but in al other actions wher a man demaundethe free holde, the writte shalbe brought against the tenant of the lande

l'alien coment q̃ il soit tenant, mes in touts autres actions lou home demaunde franktenement, le briefe serra port vers le tenant del terre.

Cosinage is a writ and it lieth where my greate graundfather, mye graundefathers graundfather or other cosyns dyethe seised in fee simple, and a straunger abatethe, that is to saye, enterethe into the landes, thanne I shall haue against him thys writte, or against hys heyre or his alyene, or against whosoeuer ye cometh after to ye sayd landes, but if my graundfather die seysed, and a straunger abateth, than I shall haue a writte of Ayle, but if mye father mother, brother, sister

Cosinage est vn briefe & gist lou mõ besaiel, tresaiel, ou auter cosin deuie seisy in fee simple, & vn estraunge abata. s. entre in les tres donques ieo auera vers luy cest briefe, ou deuers son heire ou son aliene, ou deuers quelconque que aueigñ apres a les dites terres, mes si mon ayel deuye seisie, & vn estraunge abata, donq̃ ieo auera vn briefe de Aiel, mes si mon piere, mere, frere sore, vncle, ou aunt de-

nie fesisy & vn estraun ge abate, dong, ieo auera vn assise de mordauncester.

Couenaunt est agreement fayt parenter ii persones, lou chescun deux est tenus a lauter de performer certain couenants pur sō parte. Auxi il est vn brief de Couenaut, & qist lou couenaunt est fait parenter deux per indentures enseales, & lun deux ne tient pas couenant mes infreint, dōques celuy qui se sent greue, auer le dit brief Et nota, que nul brief de Couenaunte serra maintenable sauns especialtie, sinon in la cite de Loundres ou in

vncle or aunte, dye seisin, and a straunger abatethe, thanne I shal haue assise of mordauncester.

Couenaunt is agrement made beetweene two persones whereeuerye of the is bound to the other to pforme certayne couenauntes for his part. Also there is a writ of couenaunt, & it lie the where couenāt is made beetweene two by indentures ensealed, & the one of the holdethe not his couenant but breakethe it, than he whiche therof feeleth himselfe greued shall haue this writte. And note well, that no writte of Couenant shallbee maynteinable withoute especialtye, but in the city of London, or in other suche place

place priuileged, by the custome & vse.

in auter tiel lieu priuiledge per la custome & vse.

¶ Cui in vita is a writte and it lyethe where a man is seysed of landes in fee simple or fee tayle, or for term of lyfe in the right of hys wyfe, and alieneth the same lande and dyeth, then the shall haue the saide writte for to recouer ꝑ lande, & note wel ꝑ in thys writ hee shall make title if it bee of ꝑ purchace of the womãs, of the heritage of the womanne. But ꝑ the husbande alien ꝑ right of hys wyfe, and the husbande and the wife dyeth, the wiues heyre maye haue a writte of Sur cui in vita.

Cui in vita est vn briefe, & gist lou home est seisye des terres in fee simple, in fee taile ou a terme de vie in droit sa feme, & alien mesme la terre & deuie, donques ele auera le dit briefe pur recouer le terre. Et nota que in cest briefe il fra title sil soit de purchase la femme ou del heritage le femme. Mes si le baron alien le droit sa femme, et le baron et la femme deuiont, lheyre la femme auera vne briefe de Sur cuy in vita.

Cui ante deuorcium est vn briefe & gist en semble maner quāt tiel alienacion est fait p le baron, & puis deuorce est ewe inter eux dong, la feme auera cē briefe, & le briefe dirra, cui ipsa ante deuorcium contradicere non potuit.

Cui ante deuorcium is a writte, and it lyethe in like manner whēne suche alienation is made bye the husbande & after deuorce is hadde betwene them thā the womā shall haue thys writt, & the writte shall saye, to whome the before ỳ deuorce myghte notwithsay.

Curtesie dangleterre est lou home prēt feme seisye in fee simple, ou en fee taile generall, ou seisye come heire de la taile especiall, et ad issue per la feme male ou female, soit lissue apres morte ou en vie, si la feme deuie, le baron tiendra le terre durant sa vie per la ley dangleterre, et est appel tenant per le curtesy den

Curtesie of Englande is, where a man takethe a wyfe seised in fee simple, or in fee tayle generall, or seised as heire of the tayle especiall, and hathe issue bye the wyfe, male or female, beeth yssue after dead or in lyfe, yf the wyfe dye, the husbande shall holde the lande durynge hys life bye the lawe of Englande, and it is called tenant bye the curtesye

of

of Englande, beecause that this is not vsed in no other realme but only in England. And some saye that he shall not be tenaunt bye the curtesie, vnlesse that ye childe whiche he hathe by his wyfe, bee heard crye for bye the crye vs the proofe that ye childe was borne.

gletre, par ceo q̃ ceo nē vse in nul auter roialm̃ forsq̃ tant solement en Engletere. Et ascuns dit q̃ il ne serra tenant per le curtesie, sinon q̃ lenfant que il ad per sa femme, soit oye crye, car p le crie, est le prefe q̃ lē fant fuit nee.

Warain presentment looke therefore after in ye title Quare impedit.

Darrein presentmēt, vide ceo apres, titulo Quare impedit.

Deuise is, where a man in his testamente geuethe or bequeaueth his goodes or hys landes to another after hys decease. But ye a manne be sole seysed of landes in his demesne as of fee, and deuyse ye landes bye testamente, thys deuyse is voyde,

Deuise est, lou vne home in so testam̃t don̄ ou graū: a ses biens ou ses tres a vn auter aps son decease. Mes si hōe soit sole seisy des terres in son demesne com̄e de fee, et diuisa les terres per son testament, cest deuise est voyde, sinon

que les terres sount in vne Citie ou Borough lou terres sont deuisable per custome: mes sy ascun soit feoffe al vse de vn auter & ses heires, et cesty a que vse il est sesye fait deuise de ses terres, cest deuise est bon, mes que il ne soyt in vill lou tres sōt deuisible. Auxi si ascū hōe deuisa terre in Citie, vill, ou borough deuysable, et le deuisour deuie, si son heire ou ascū auter abate in les tres dong, le deuise auera briefe de Ex grauui q̄rela, mes cest briefe ne serra iāmes pled. de uant le iustice le roy mes touts fois deuant le mayre ou les bayliff: in le dit ville. Auxi si home deuisa bien a vn

but if ye landes bee in a citie or borowe where landes be deuisable by custome, but if any man bee feoffe to the vse of another & hys heires, & hee to whose vse hee is so seised make deuyse of his landes, this deuyse is good, though it bee not in a towne where landes bee deuisable. Also if anye man deuyse landes in citie towne or borowe deuisable, and the deuyser dieth, if his heire or anye other abate in the lands, than the deuyse shall haue a writ of Ex grauiquerel, but thys writte shall neuer bee pleaded before the Kings iustice but alwaies before the Mayre or bayliffes in the same towne. Also if a man deuise goodes to another and maketh hys

executours and bye the and the executour wyl not deliuer the goodes to the deuise, the deuyse hath no remedy bye the commen lawe in the kynges court but ye behooueth hym to haue a sitacion against the executoures of the testatoure, too appeare beefore the Ordinarye to shewe whye he performethe not the wil of ye testatour. Also, yf a manne deuise all hys landes & tenementes ye bee hathe, a reuersion passeth by these wooydes, tenemetes. Also yf landes be deuysed to a man to haue to hym forevermore, or too hau too him & his assignes, in these ii. cases the deuisee sh̃ll haue a fee simple. But if it be geeuen by feoffement, in suche maner he hathe but an estate for terme of lyfe,

auter & fait ses executors & deuise, et les executours ne voile deliuer les biens a le deuisee, le deuisee nad remedi ple cõmen ley in court le roy, mes il conient de auer sitacion vers les executs le testator dapperer deuant lordinary de mõstre pur quoi il ne pfourm̃ le volunte le testator. Auxi si home deuise a toutes ses tres et tents q̃ il ad, vn reuersion passe per ces parols tents. Auxi si tres sont deuise a vn home a au a luy in ppetuum, ou a auer a luy & a ses assignes in ceux deux cases le deuisee auera fee simple mes si soit don per feoffement in tyel maner il nad forsq̃ estate pur terme de vie,

Deniſin eſt lou alien deuient le ſubiect le roy & obteine les letters patentes le roy pur enioyer touts priuileges come vn home engleis, mes ſi vn ſoit fait denizein, il paiera cuſtomes & diuers auters choſes come aliens, cõe appiert per diuers ſtatutes de ceo faits.

Denizen is where an alien becometh the kings ſubiecte and obteineth the kinges letters patents for to enioy al priuileges as an engliſhe man, butte if one bee made denizein he ſhal paie cuſtomes & diuers other thynges as alyens, as it appearethe by diuers ſtatute therof made.

Decies tantum eſt vn briefe, & giſt lou vne iourrour in aſcun ĩqſt priſt argent dun partie ou dauter, pur doñ ſon verdite, donques il paiera x, fois a tant q̃ il ad reſceu. Et cheſcun q̃ voile ſuer auera le accion et auera lun moitie, et le roy lauter moitie. mes ſi le roy in tiel caſe releas per ſon

Decies tantum is a writte & lyethe where a iureour in anye inqueſte taketh moneye of ỳ one parte or other for to geue hys verdyte, then he ſhall paye ten times as muche as hee hathe receiued, and euery one ỳ will ſue maye haue ỳ actiõ & ſhal haue the one half & the king ỳ other halfe. But if the kinge in ſuche caſe releaſe hys

hys

bys pardone to suche a
mirour, yet it shall bee
no barre againste hym
that bringethe the ac-
tion, but that hee shall
recouer the other halfe
yf his accion be comen
syd before the pardone
of the kynge, but yf the
pardone be before anye
accion, it is a barre a
gainst all menne. And
the same lawe is of all
other actions popu-
lers where one parte
is to the kinge, and the
other to ỳ partye that
sueth e. Also the inbra
cers whyche procure
suche inquestes shall
bee punished in the sa
me manner, and theye
shall have the pryson-
ment of a yeare, but no
iustice shal ēquire there
of of offyce, butte on
lye at the sutte of the
parte.

perdon a tiel iurrour
vncore il ne serra barre
vers cestuy que port lac-
cion mes que il recouer
ra lauter moitie, si son
accion soit commēce de
nauant le pardon le roy.
mes si le pardon soit de
nauant ascun accion, il
est barre incontre touts
gents, ce mesme le ley ē
de toutes actions popu-
lers lou vn parte est al
roy et lauter al parte q̄
suera Auxi les inbra-
cers qui procurent tiels
inquestes serront puny
in mesme le maner &
ils auerons prison-
ment de vn an, mes nul
iustice enquerront de
ceo de office, mes sole-
ment al suite del par-
tie.

Departer est lou vne
hōe plede vn ple in barr
et le plaintife replia
ceo et il apres in son re
ainder plede ou mon-
stre auter matter contra
rie a son primer ple in
barre, ceo est appell vne
departer de son barre

Det est vn brief et gist
lou a cun sum dargent
est de vn an par reason
dacompt, bargain, cō-
tract, obligacion, ou an
tre especialte a payer a
a cun certaine iour a il
iour il nest payd ing-
auer a cest brief mes si
a cun some dargent soit
a me a cun seignior
per son tenant pur ser-
rent seruice le seignio
our pur ceo nauera
iammes accyon de det
mes il conien: toutes

Departer is where
a man pleadethe a ple
in barre and ȝ plaintif
repliethe thereto, & he
after in his retoynde
pledeth or shewethe an
other matter contrary
to his first ple, that is
called a departer from
his barre.

Det is a writte & it lyg
eth where any some of
money is due to a man
by reason of accompt
bargayne, contracte,
obligacyon, or other
essentialtie to be paid
at a certaine day & the
day be payed
not, than he shall have
this writte, but if any
some of money be
due to me by
his trauail or any
tenter seruice, the lord
shall neuer have acty-
on of dette. But he
behoouethe all waye
to

to distrayne, butte for rent charge or rēt seche hee maye haue a goode action of det and also for the arrerages of rēt reserued vppon a lease for term of yeares, and in these caes it is at his electcion to haue an action of dette or for to distrayn, but if the lesse be determined than he shall not distrayne after for that rente. But he beehouethe to haue an action of det for the arrerages.

Diem clausit extremū is a writte & it lyethe where the kynges tenant ꝑ holdeth in chief dieth than thys wrytte shall bee directe to the eschetoure to enquire of what estate hee was seysed & whoe is ner to heire, & of the certaynte, of ꝑ land, & of what value the land is.

soits distrainer, mes pur rent charge ou rent seck home auera bon accion de det et auxi pur arerages de rēt reserue sur vn lease pur term dans et in ceux cases il est a son elecccion dauer acciō de det ou pur distraine mes si le lesse soit determine donques il ne distreiner apres pur ce rēt mes couient dauer vn accion de det pur les arrerages.

Diem clausit extremū est vn briefe et gist lou le tenant le roy q̄ tyent in chiefe murrust dōc, cest briefe serra directe al eschetour denquerer de quel estate il fuit seisie, que è prochein heir, & de la certaintie del terre, et de quel value le terre est.

Dis-

Disclaim est lou le seignour distrein sou tenaunt et il se wa replenir et le seignour auowale prise per reason q̃ il tient de luy, si le tenaunt dit que il disclama detener de luy, cest appel vn disclaime & si le seignor sur ceo port briefe de droit sur disclaime si soit trowe in conter le tenaunt il p̃dera le terre.

Disclaimer is wh[illegible] the lorde dystraynet[illegible] hys tenaunte and [illegible] shewethe replevin a[illegible] the lorde auowetb [illegible] taking bye reason th[illegible] he holdethe of him, [illegible] tenaunte saye that [illegible] dysclaimethe to ho[illegible] of hym, thys is calle[illegible] a dysclaym, and if th[illegible] lorde theruppon bring[illegible] a writte of rygbte [illegible] disclaimer if it be fo[illegible] against the tenaunt, [illegible] shal lose ye lande.

Disseisor est celuy que mist a scun home hors de son terre sas order de ley et disseisi ē celuy q̃ est issint mis de hors.

Dysseisoure is he wbiche puttethe an[illegible] man oute of hys lan[illegible] without order of th[illegible] lawe & disseisie is he [illegible] is so put out.

Discontinuaunce est quaunt vn home alien a vn auter terre ou tenements et munust & vn auter ad droit a ly

Dyscontinuance [illegible] when a man alieneth [illegible] to another landes [illegible] tenementes and dieth [illegible] and another hath [illegible] right to ye same landes

and

nd maye not enter in them because of this alienation, as if an abbot alien the landes of hys house too another in fee or in fee tayle, or for terme of life, or if a manne alien his landes that he hathe in the ryght of his wife or if tenaunt in the tail alien the landes geuen to hym and to the heyres of hys bodye than suche alienationz bee called dyscontynuaunce for suche estates passe alwaye by liuery and seisin, and in these cases the successoure of the abbotte, or the womā after the deathe of her husbande, or the issue in the taile after the death of the tenant in the tayle maye not enter but euerye of thē hathe ryghte to his action, also if tenaunte in the

les terres & ne puit enter in eux per cause de cel alienacion, si come vn abbe alien les terres de son meason a vn auter in fee, ou in fee tayl ou pur terme de vie, ou si vn home alien les terres que il ad en droyt sa feme, ou si tenaunt in taile alien les terres done a luy et a ses heyres de son corps, donq; ti els alienations sont appels discontinuaunce quar tiels estates passount toutes faits per liuere et seisin, et in ceux cases le successor labbe, ne la feme apres le mort son barō, ne issue in le taile apres le mort le tenaunt in le taile ne poient enter, mes chescun a e eux est mis a son action. Auxi si tenaunt

in

in le taile soit disseisie et il personfait apres relessa al disseisour & a ses heires tout le droit que il ad, il nest discontinuaunce, par ceo q̃ le tenant in le taile nad droit forsque pur terme de vie et riens de droyt passa al disseisour forsq̃ pur terme de vye le tenaunt in taile, et mesm̃ le lay est si abbe ou hõe in droit sa femme soit disseisie et ils relessont apres al disseisour, ceo nest ascun discontinuaunce causa qua supra

Auxi in le ley est sy ascun tiel tenaunt in le taile, abbe, ou home in droit sa feme, fount lesse pur terme dans et puis relesse all lesse tout sõ droit tiel relesse ne fait

tayle bee disseysed & he by his bede after warde releaseth to the disseisor and to his heires al the right that he hathe, yet is no discontinuaunce for that that ye tenaunt in the tayle hathe no rightte but for terme of life, and nothyng of right passeth to the disseisor but for terme of lyfe of the tenaunte in tayle, and ye same lawe is yf an Abbotte or man in the right of his wyfe be disseised & they releasse after to the dysseisour, that is noe dyscõtinuaunce, causa qua supra.

Also the same lawe is if any suche tenaunt in the taile, abbotte, or manne in the rightte of his wyfe make a leasse for terme of yeares & after releasse to ye lesse al hys rightte suche release

ease maketh no discon
tinuance.

Also yf tenaunte in
the taile of an aduow-
son, or of a commen in
gross graunte the ad-
uowson or the commen
to another in fee or for
terme of lyfe that is no
discontynuance for ỳ
that of suche thynges
which passeth by grant
and not by liuere & sei-
sin into thynge passethe
out the estate that the
grauntour hathe, butte
of suche thinges which
passeth by liuere & sei-
sin suche estate passeth
which is named at the
time of ỳ seisin geuen.

Discreit is a writ cit
some time originall
and sometyme iudicy-
all, but when it is orig-
inal it lieth where a
ye discreite is done to

ascun dis continuance

Auxi si tenant in
le taile de vn aduow-
son de come in grose grãt
laduowson ou la comen a
vn auter in fee ou pour
terme de vie, cest nist
ascun discontinuãce par
ceo que de tels chose q
passount par grant, &
ne mys liuere & seisin
riens passa forsque les
tate que le grantor ad.
mes de tels choses que
pssoũt per liuere et sei-
sin tiel estate passa que
est nosme per le seisin
done.

Discreet est vn brief et
est ascũ sorts originall
et ascũ sorts iudicial.
mes quant il e original
gist lou ascun dis-
creet est fait a ascun
home

home per vn auter issi
que il nad sufficient p
forme son bargaine ou
nient performe son pro-
mise. denques celuy q̃ e
in tiel maner descewe
auera cest briefe.

a manne bye another t
that hee hathe not suf
ficientlye performed
his bargayne or not p
formed his promyse
than hee y is in such
maner deceyued sha
haue this writ.

Auxi quant cē briefe
est iudicial, il gist ou
scire facias est sue hors
de a scun record de vers
vn & le vic. retourne
que il est garny ou il ne
fuist garny ou lou vn p
cipe quod reddat de ple
de terre est sue vers vn
& le vic. retourne que
il est sommons lou il ne
fuist sommons per quel
desceit et faux returne
le demaunde recouer le
terre. donques le parte
greue auera cest briefe
vers cest y que recouera
ou vers le sommoners

Also when thys writ
is iudiciall, yt lyeth
where a scire facias is
sued out of anye record
against a man and the
shiriff retourneth that
he is warned where he
was not warned, or
where a precipe quod
reddat of plee of landes
is sued against on, and
the shirife returneth y
hee is sōmoned where
he was not sommoned
by the whiche dysceyte
& fals retourne the de
maūdaunt recouereth
y land, than the partye
greued shall haue thys
writ against him y re
coue-

trouuered or agaynst ý
summoners, or agaynste
the sherifie, thanne ý
writ shalbe directed to
the Coroners of the
same countie.

Demaundant is he
that sueth or complay-
neth in action reall,
for title of lande, & hee
is called playntyfe in
assise and in actiõ per-
sonell as in an accyon
of det, trespas, dysceyte
detinue, & suche other.

Defendant is hee ý
is sued in accyon per-
sonell, and he is called
tenant in accion reall.

Distresse is ý thing
whiche is taken & dys-
trained vppon any land
for rent behinde, or for
other hurte or duetye,
howbeeit that the pro-
pertie of the thynge be

*en vers le viscont, mes
il soit sue vers le visc.
donq, le briefe serra di
rect al coroner de ĩ la
countie.*

*Demaundant est ce-
luy q̃ sue en complaine
in action reall pur ty-
tle de terre, et il est ap
pell plaintife in Assise
& in action personell,
come in action de dett,
trespas, disceite, dety-
nue, & tiels sẽblables.*

*Defendant est celuy
q̃ est sue in action per-
sonel, et il est appell te-
nant in action reall.*

*Distres est la chose q̃
est pres & distrain sur
ascũ terre pur rent ar-
rere ou pur auũ tort ou
duetie, comẽt q̃ le pro-*

pretie del chose soit pa-
reynaum al estraunge,
mes si sont beastes que
pertenant a vn estrange, il couient que sount
leuant et couchant sur
le terre. & les bestes
auont este sur le terre p
certaine space que ils
ont eux bien repose sur
la terre, ou autrement
ils ne sont destreinabl.
Auxi si vne distrayne
pur rent ou auter chose
sauns cause loyall, dōq
le partie greue auera
vn Replevin sur suer-
tie trouue de pursuer son
action, & auera la di-
stresse a luy redeliuer
Ideo vide de Repleuin
apres titulo Repleuin.
Auxi sont diuers chose
ses que ne sont distreina
bles. le robe dauū hōe
in le meson de vn tai-

longeth to a straunger
but if they bee beastes
that belong to a straun
ger, it behoueth that
be leuant & couchaunt
vppon the same groūd,
is to say, that the beastes
haue den vpō the groūd
by certayne space that
they haue themselfe well
rested vppon the groūd
or els they bee not dyst
trainable. Also if one
distraine for rente or o
ther thynge wythoute
cause lawfull, thanne
the partie greued shall
haue a replevin vppon
suertie founde to pour
sue his action, and shall
haue the distresse to bi
deliuered againe, ther
fore looke of the reple
uin afterwarde in the
tytle Repleuin. Also
there be diuers thinge
which be not distraina
ble, as is too saye, anno
ther mans gowne in
the

the house of a tayler, or a cloth in ye house of a fuller, shereman, or weyuer, for that, that theye be commen artificers, & that ye commen presuption is, ye suche things belong not to ye artificer, but for other persons which put the there to woorke.

ler, ou drape in le meson vn fuller, shereman ou weyuer, pur ceo que ils sont commen artificers. & que le commen presumpcion est, que tiels choses ne perteyneut al artificer, mes al auters persons que les mettont la a oreue.

Also vitell is not distraynable, nor come in sheuys, but yf theye be in a carte, for that that a dystresse oughte too bee alwaye of suche thynges whereof the sheerytte maye make repleuyn, and delyuer agayne in as good case as it was at the tyme of the takynge. Also a man maye dystraynne for homage fealty, and escuage, and other seruyces for fines and

Auxi vitell nest pas distreinable neblees in gauies, sinon q̃ ils sont in vn chareot, pur ceo q̃ distres couiens eē touts foyts de tiel chose dont le vic. puit faire replevin, & redeliu in auxi bone case que il fuit al temps del prise. Auxi home puyt dystraine pur homage de son tenaunt, pur fealtie & escuage, & auters seruices, & pur fynes &

amerciement q̃ sont assesse in vn lete, mes ne-my in courte baron. Et auxi pur dam̃ fesant, s quant il trouve les beastes ou bns d̃ auĩ, fesant tort ou encebrant son tre. Auxi home ne puit distrein pur ascun rent ou chose due pour ascun terre, mes sur m̃ la terre que est charge ouesq̃ ceo, mes in case lou ieo veigñ a distrair et lauter voiant mon purpose, chase les beastes ou port le chose de hors al cmen q̃ ieo ne prendra pour distresse sur le terre, donques ieo puisse bien pursua, & si ieo prist maintenant in la haute chmine ou in auter soyle, la prist est loyall, auxi bien la come sur la terr. charge

amerciements which be assessed in a lete but not in a courte barron, and also for damage fesaunt, that is to saye, when he findeth the beasles or goodes of an other, doynge hurte or cumbring his ground. Also a man maye not distrayne for any rente or thynge due for any lande but vpon ye same land ye is charged therwith, but in case wher I come to distrayne, & the other seeynge my purpose, chaseth the beastes or bracethe yt big out to the entente that I shall not take yt for a distresse vppon the grounde, then I maye in ell pursue, and yf I take it incontinente in the hye waye or in an other grounde, the taking is lawful al mel there as vppon ye lande char-

charged to whosoeuer the propertye of the goodes bee. Also for fynes and amerceyaments whiche be assessed in a lete, one maye alwaye take the goods of hym that is so amerced, in whose grounde so euer they bee within the iurisdiction of the courte as it is sayd. Also whē one hathe taken a dystresse, it behoueth him to bringe it to ye pound, or else bee maye keepe it in anothers grounde, and then it behoueth him to geue notice to ye partye, for that, that the partye (yt the distres bee a quicke beaste) maye geeue to it foode, than if the beaste die for defaute of foode bee that was dystrayned shalbe at the losse, & then the other maye dystreine again for the

a quecunq; la propretie des biens sont. Auxi pur fines & amerceamentes que sont assesse in vn lete, vn puit toutes foits prender les biens celuy qui est issint amercie in quecunque soile q̄ils son: deins la iurisdiction del courte vt dicitur. Auxi quāt vn ad prise vn distres, il conuēt a luy de amener a le cōmen pound, ou autrement il puyt garder in auter soile, & donques il conuient a luy de doñ notice al partie, pur ceo que la partie (si le distres soit vn viue beaste) puit doña luy viande, & donq; si le beast murrust pur defaut de viand celuy q̄ fuit distrain serra a le parde, & donq; lauter

puit distraine aut foys
pur ñ le ret ou duelie,
mes sil a mesna la dys-
tresse a vne forfelet ou
hors del countie, q̃ la
vic. ne puit bñ fair de
liuerance sur repleuin,
donques la partie sur le
retorne de vicoũt, auera
vn brief de V V ibler
nam directi al vic, q̃ il
preignant de ses bes-
stes ou taunt des byens
lauter in se gard tanq̃
il ad fait deliuerance
de la primer distresse.
Auxi sies sont in vn
forfolet ou chatcaul, le
vicõt puit prender ou
luy le power del count-
tie, & abatre le chat-
tel come appiert per le
statute westm. 1 c. xx.
Iaco vide statutum.

Deo dauntee est quant

same rente or duetye,
But if he bring the dis
tresse to a holde or out
of the countie that the
shiriffe maye not make
deliuerance vppon the
repleuin that the party
vpon the retorne of the
shiriffe. shall haue a
writte of Wythernam,
directe too the shiryffe,
that he take as mutche
of hys beastes, or as
mutche goodes of the
other in hys keppynge
till that he hath made
deliuerance of the first
distresse. Also if thoye be
in a forfelet or castell,
the shiryffe maye take
hym by the power of
the countie & bring down
the castell, as it appear
reth by the statute West
min. 1. Cap. 20. Therefore
loke the statute.

Decodande is when
anye

anye man bye mysfor-
tune is slayne bye an
horse, or by a cart, or by
anye other thynge that
meneth thathis thing
that is cause of his de-
ath, which at ye tyme
of the mysfortune mo-
ueth, shal be forfayte to
the kynge, or that is tai-
lled to God, & that p-
tayneth to the kynges
almener to dispose
in almes and in deedes
of charitie.

Decimus potestatem
est vn brieue, and yt
yeth where a man sui-
eth in the kynges
courte, or is sued, and
maketh vnto ye iustices
thatmes yes shall hade
this writte directe to
some iustice or other
officer or person in the
countreye, to graue to
hym power to admitte
some manne for his

*asun home per mysfor-
tune est cue per vn che-
valle ou per charet, ou
per auter chose q̃ meue
donques cel chose que
est la cause de son mort
que al temps de la mis-
fortune moua, serra so
fait al Roy, & ceo est
appell Deo dande, &
ceo pertayne al almener
le Roy per dispo-
ser in almes & actes
de charitie.*

*Decimus potestatem
est vn briefe, & gyst
lou vne home sua in le
courte le roy, ou est sue,
& ne puit bien trauai-
ler, donq̃ il auera cest
briefe directe a aseun
justice, ou auter dys-
ayere person en le pays,
de don al luy power de
admitte a sa ayd par son*

attourney, ou de leuye
ſiure, ou de prender ſon
confeſſion ou ſa reſpōs
ou auter examinacion
come le matter require

Demurrer eſt quaunt
aſcun action eſt port, &
le deff. plede vn plee a q̄
le pleyntife dit, q̄ il ne
voile reſpōder, pur ceo
q̄ il neſt ſufficient plee
in leley, & le deff. dit
al contrary q̄ il eſt ſuf-
ficient plee, ceeſt doubte
delley eſt appell vn de-
murrer.

Double plee eſt lou
le defendaunt ou te-
naunt in aſcun action
plede vn plee in que il
matters ſont comprehē-
dus & cheſcun denx ſ
luy m̄eſt vn ſufficient
barre ou reſponsal ac-

attorney, or to leuye
ſyne or to take his con-
feſſion or his aunſwere
or other examynacion
as the matter requy-
rethe.

Demurrer is when
any action is broughte
and the defendante ple-
deth a plee to ſ̄ which
the pleintife ſayth that
he will not aunſwere,
for that ſ̄ it is not ſuf-
ficient plee in the laine
e the defendant ſayth
to the contrarye, that it
is a ſufficiēt plee, this
dout of the laine is cal-
led a demurrer.

Double plee is when
the defendaunte or te-
nant in any action ple-
deth a plee in ſ̄ which
ti matters be cōprehen-
ded, and euerye one by
himſelfe is a ſufficient
barre or aunſwere to

the

the action, then suche a double plee shall not bee admitted for a plee except one depende vpon a nother, and in suche case yf hee maye not haue the laste plee without the first plee then suche a double plee shall bee well suffered.

Dower is a wayte and it lyeth where a man is sole seyseed during the couerture be tweene hym & his wife of landes and tenementes in fee simple or fee tayle, where by possibilitye the issue be tweene them maye inherite, yf suche a mane dye hys wife shall recouer the thyrde parte of all the landes inhere of the husbande was sole seyseed any tim during the couerture bye

cion en m: after de hare donques tiel double plee ne serra admitte pour ple si non que vn depēd sur lauter et in tiel case si le ne puit auera le dar rain ple sās le prim̄ ple serra bene suffer.

Dower est vn brief et gist lou home est sole seisie durant le couerture per inter luy et sa feme de terres ou tenementes in fee simple ou fee tail lou per possibilitie lissue enter eux puissoit inherite, si tiel home de ce sa feme recouera le tierce parte de touts les terres dount le baron fu ist sole seisie a scun tēps durant le couerture p briefe de dower vnde nihil habet mesque il ne

ne murrust seisy et mes
que ad il fait alienacio
on de ceo en sa vie, mes
si hoe ad terres in quux
auter home ou auters
homes fuerunt seisi a so
oeps conjoites durant
le coverture, et cestuy a
q oeps il sot seisi deuie
sa feme ne serra endowe
Et auxi si, ii. homes sot
seisie de terre al oeps lu
de cuux et cestuy a q oeps
cel. deuie sa feme ne
serra endowe. Auxi si
feme port briefe de do
wer el recouera damag
pur le profit ent. Auxi
apres la mort le baron si il
murrust de ceo sa feme
si a fait alienacion ou
estate fuit fait durante
le coverture issint le du
yon ne murrust seisi de
ques ad esp. il recouera
la terre, vncore el ne

a writ of dower vnde
nihil habet, thoughe
hes made alienacion
thereof in hys lyfe, but
if a man hatie land
in the whiche another
man or other mete tha
were seised to hys vse
alienates duringe hys
coverture, hee to whose
vse they be seised dieth
his wife shall not be
endowed. And also if
ii. men be seised of land
to the vse of one of tha
hee to whose vse they
be seised hys wife shal
not be endowed. And
if a woman bringe a
writ of dower she
shall recouer damages
for the profit ensuyng.
Also after the death of
her husband
hee sold thereof leyle
but if aftre alienacion
or estate made durin
ge the coverture so that
husband died not seysi
the though she shall re
cover the land yet she

shall recouer no damages.
Also there is another writ of dower called a writte of right of dower, and it lieth where a woman hath recouered parte of her dower in ye same to wch ye tenant hath bin ye is to recouer. Also in diuers cases a woman shal not haue dower as if ye husband do felony for ye wthche he is attaint than his wife shal haue no dower. Also if she goe away from her husband & to another man in adulterie & if she be wt another man in the time her husband dieth she will not recouer fro ye time wtin she shal not be endowed.
Droit is a writte, and it lyethe where a man claymethe any londes or tenementes & alegethna title but onely

recouera dammages.
Auxi il est vn auter brief de dower appell brief de droit de dower et gist lou feme ad recouere pr dri a dower en ūn le ville ou auter part il est a recouer. Auxy en diuers cases feme na auera dower si come le baron fait felony per q̄ il est attaint donques sa feme ne auera dower.
Auxi si il eslope de son baro ouesq vn auter hoe in adulterie et si il ne se ie reconsile pur son baro de son bon volunte sans coberson de le eglise il ne serra endowe.
Droit est vn brief et gist lou sōe claim ascū terres ou tenemts et alege nul title mes solement

que

que vn de ces auncestur
in auncient temps
fuit seisie puis le limi-
tacion, et cest briefe ce-
uient este port en court
le seignour et puis este
remoue in court le roye
et nad forsque, ii. triels
s. per graund assise ou p
battel al eleccion le te-
naunt, et par ceo il coui
ent toutes foits p plain
tife pur auer son cham
pion prest, vel auterm̃es
il perdera son action.
Auxi le iudgement de
cest briefe est finall car
il nest pas ple pur le te-
naunt adire que il re-
couera par ceo en trie
Auxi il est vn auter
briefe de droit de rati-
onabile pce et gist touts
foits inter priues de
sanke, si come vn home
lesse terres a terme de vy
et ad plusours coheires

that one of hys auncest
toures in olde tyme
was seised after the li
mitacion and this wr
behoueth to bee bro
ght in the lordes cou
and it maye bee rem
ued in the kings cou
and it hathe not but
triels that is to saye b
graund assise or by ba
tel at the election of th
tenaunt, and for th
it behouethe alwaye
p pleyntife for to ha
his champion redye,
els hee shall lose hy
action. Also the iudg
mente of this writte
fynall: for it is no p
for the tenaunt to sa
that hee recouer po by
action frelo. Also there
is an other wrytte
rypgte de racionabil
pce, and it lieth alway
beetwen e pryuerys
bloode, as yf a man le
landes for terme
lyf,

lise the hath many co-
heyres & together, if one
of the coheyres enter
in all the lande, ye other
shall haue this wrytte
but this wrytte shall
not be tryed by battaill
nor graund Assise.

et deuiesse vn des cohe-
res entra in tout la terre
les autres auerent cest
briefe, mes cest briefe
ne serra trie per battell
ne graunde assise.

Also there ys an other
wrytte of rygbt qm dns
remisit curiam suam
regi, and lieth where ye
lorde holdeth no court
than he shall remit his
courte to the kinges
courte for the tyme sa-
uynge to hym an other
tyme the rigbte of hys
seignorye.

Auxi est vn aut brief de
droit quando dna re-
misit curiam suam re-
gi et gist lou le seigni-
our ne tient court don-
ques il remittera son
court al court le roy a-
cel foits sauant a luy au
ter foits le droit de son
seignoury.

Lake of writes of ry
gbt ye titles of Precy-
pe in capite monstra-
uerunt, dower, & quare
impedit.

Vide des briefes de
droit in les titles de pe-
cipe in capite monstra-
uerunt, dower, et quare
impedit.

Dures is where one
is kepte in prysone or

Dures est lou vn home
est garde in prison ou

restreint de son liber-
tie cõtrey al order de
lay, et si tiel person is-
sint estre ãt fait in dures
a cun especialtie ou ob
ligacion per reason de
tiel emprisonment tiel
fait est void in le lay,
et in accion port sur ty
el especialtie il puit di
re qui il fuit fait per
dures de sõ imprisonm̃t
mes si home soit arest
sur a cun acciõ al suite
vn auter mesq, le cause
de l'accion ne soit bone
ne voix si il fait a scũ ob
ligacion a vn estrange
estãt in prisõ p tiel ar
rest, vncore il ne serra
dit per dures, mes si il
fait obligacion a luy a
q̃ fuit il fuit arest dẽ
discharge de tiel ĩpri-
sonment, dont il serra
dit dures vt dicitur.

restrained from his li-
berte contrarye to the
order of the laune, and
yf such a persõ so being
in dures make anye
specialtie or obligacion
by reso of such imprison-
met such a dede is void
in the law: and in an
action brought upon
such an especialtie he
maye saye that it was
made bye dures of im-
pysonment, butte yf a
man bee arested by an
anye action at the suite
of another thoughe the
cause of the actyon be
not good nor trewe, if
he make anye obliga-
on to a straunger bee-
inge in pysion by such
arest, yet it shal not be
said by dures, but if he
make a obligacio to hi
at whose suitt he was ar-
rested to be discharged
of such ĩpsõment, than
shal he said not of dures

Dum non fuit compos mentis, is a writte and it lyeth where a man is out of his goode mind alieneth the lands that he hath in fee simple and dieth the hys heire after hys decease shall have the hys writte but hee himselfe shall not have this writte for that that a manne shall not bee receyued to disable himselfe. Also this writ may be made in the per, cui, et post.

Dum non fuit compos mentis est vn briefe et gist lou home q̃ est hors de son bon memorie ulienes terres que il ad en fee simple en deuie dõques son heire apres son decesse auera cest briefe mes il mesme nauera cest briefe pur ceo que home ne serra resceu a desabler luy m̃ auxi cẽ brief pur cele fait in le per, cui et post.

Dum fuit infra ætatem, and it lyeth where an infant, with in age alieneth his land that he hath in fee simple, or for terme of life when he commeth to his full age, hee shall have this writ, ere he may enter if hee will, but it behoueth that he be of full age, & haue of this writte broughte

Dum fuit infra ætatem est vn briefe et gist lou enfant deins age alien sa terre que il ad in fee simple ou pur im de vie quant il ment a son pleine age il auera cest briefe ou il puit entre si il voit, mes il conuẽi q̃ il soit de plein age iour de sã brief purch.

Auxi

Auxi si enfas alien sa terre et deuie son issue a son plein age auera cest brief on puis enters mes lissue. nauera cest briefe de ins son age.

also if an infaunt alien his lande and die ap, his issue at his full age shall haue this writ entere her wrongs entre butte the issue shall not haue this writ within his age.

Eieccione firme vide de ceo in le title quare eiecit infra terminum.

Eiectione firme, look for that in the title quare eiecit infra terminum.

Eiectment de garde vide de ceo in le tytle garde.

Eiectmente de garde loke for that in the title garde.

Enter est lou vn home entra in ascun terre ou tenemente in son proper person ou auter per son commaundement. auxi sount diuers briefes de ire queux sont in diuers maners; vn est brief de ire sur disseisin, et cest briefe gist lou home est disseise & deuye son

Entre is where a man entreth in anye lande or tenementes in his proprye persone or anye other by his commandement. Also there be diuers writes of entre which be in diuers manners: one is a writte of entere sur disseisyn, and this writte lieth where a man is disseised and

petie, his heyres shal heyre auera dunum-
dum this writ against die briefe avers mesme
the disseisure. A writ le disseisor. Brief den
against the heyres tre cele per gist lou hoe
of the, where a man gives est disseisy de so franke
tenement, & the disseisee tenement, & le disseisee
dieyne without the, then son heyre entra, donques le
the heyres of his heyre heyre entra, donques le
shal have the said writ disseisy ou son heyre au
against the heirs of avera le dit briefe vers
disseisore, or against le heyre le disseisor, ou
the alien of the disseisee vers l alienie le disseisor,
saue, but in this case, mes priuat le disseisor,
disseisore, he may haue il puit auer assise si il
assise, & the writ of entre shal says voyle, & le brief Den-
tre dirra, in quod A.
non habet ingressum nisi
per B. qui illud ei dy-
misit, quia inde injuste
disseisiuit eum. Mes si
le disseisor alien, & le
alienee alien ou sire a vn
auer, ou si le disseisee
dieyne, & son heyre
entra, & celuy heyre
deans, & so heyre entra
G.i. dons

donques la dyssersie ou
son beyre ouera breef
Dentre sur dissesin vn
le Per & Cui, & le
brief dirra in quod id
nō habet ingressum nisi per
B. cui illud ei dimi-
sit quia de eo iniuste &c.
Et nota q̄ vn bref de
terme in le Per et Cui sera
a mayntenable vers
vn lessee mes en ceste
cas mesme son terme per au
chase ou p dascēt, mes si
le lessee ad vn disseisē soit
de ceux hors des de-
grees sur q̄ vn bref se
puet stesaitvn le Per
ne in le Per & Cui. dō-
q̄ serra fait in le Post,
et le brief dirra in q̄d
A. nō habet ingressum nisi
post disseisinā quam B.
inde eis iniuste & sine iu-
dicio fecit sai. N. vel
in pane N. cum alieres

have a writte of Entre
sur disseisin in the Per
& Cui, & p writte shall
in qd de A. nō habet
gressum nisi per B. cui
illud ei dimisit qui
de iniuste &c. Sum
well, that vn to a terme
entre in the Per &
shall bee mayntenable
agaynst none, but
where he that is terme
bee in by pourchase
discent but if the al
nacion or discente
come on the of the tenant
by pon which he no tur
maye bee made in
Per, nor in the Per
Cui, thanne it shall
made in the Post, a
the writte shall say
quod A. non habet in
gressum nisi post
setsinam quam B.
de iniuste et sine iu
cio fecit, parfait N.
in p pane N. cum
res ipse est. Also

an

things which are set out in the
chapter of the Mannes, dens e hors des degrees
in the lawe. Intru. Entrusion, Election
Election, Disseisin, Disseisin sur disseisyn.
Disseisin, Iudgement, Eschete. Iudgement et Escheate.
Entrusion is when the oil Entrusion est quand le
seisour dyche seyled, disseisour deuie seisye,
in an estranger a ce vne estraunge et ala.
Disseisin duo Disseisin sur disseisyn
Disseisin is when the est quand le disseisy-
seisour is disseised by sour est disseisie per vn
another. Election is, auter. Election est on le
seisour p disseisoure vs disseisour est vne home
is deposed and bys de l'eligion & deuie
seisour that is elected on est deposee et sa suc-
cessour. Iudge. cessour que est elecs en-
ment is wha pre recou tra. Iudgement est,
against the oil quant vn recouer vers
Escheate is when le disseisour. Escheate est
seisour dyche quand le disseisoure
seised by a dyche deuie sans heyres, au
seisour dyche heyres, au
seisour dyche which seysiscoure per que il
is the entrusion est attaint per la felo-
Escheate in all these nioure entra come au
lord escheate in souts ces

cases le disseisin ou son
heyre ou auter a brief
de Entre deyns les de-
grees in le Per, mes in
le post, par ceo que in
ceux dits cases il ne
fount ains per descent,
ne per purchase. Auxy
ly ad un brefe den-
tre ad communem le-
gem, et est low tenaunt
a terme de vie, tenaunt
a terme d'auter vie, te-
naunt per le curtesie,
ou tenaunt en dower al-
ien et denie, dong celuy
en la reuersion, auer a
luy un auter briefe de-
uers quelconq, que soyt
deyns apres en les dits
tenements. Auxy brief
Dentre in cas ou prouso
est tenaunt in dower
alien in fee ou a terme
d'auter vie viuaunt le
tenaunt en dower celui

tenes b heuerye o
ffe heyre that not
in the degrees in
but in the post
sure in those
ies they are not in
ditter or bye purc
also there is a w
Entre ad com
mem legem, and
where tenant fo
of life, tenant for
of another's life,
or the curtesie,
tenant in dower
not be and dieth
in the reuersion
have a writ
against whosoever
is in, after in the
tenementes. al
writ of Entre in
prouiso lyeth, if
in dower alien
or for term of
for another's life
the tenant in d
be in the reuersion

[illegible] briefe, appelle briefe
[illegible] Dower in casu proui-
[illegible] Auxi briefe den-
[illegible] in casu consimili,
[illegible] tenaunts a terme
[illegible] de vie, ou tenant per le
[illegible] ou celuy en la
[illegible] briefe
[illegible] appelle briefe de entrée en
[illegible] consimili casu. Auxy
[illegible] briefe de entre ad terminum
[illegible] qui preterit, ou ceux
[illegible] en home lessa terres a
[illegible] ou auu par terme dans
[illegible] & tenaunts ient en
[illegible] briefe son terme donq; le
[illegible] lessour auer a briefe q
[illegible] est appell briefe de entre
[illegible] ad terminum qui pre-
[illegible] terit. Et auxy si termes
[illegible] sont lesses a vne home
[illegible] par terme d'auter vye,
[illegible] & cesty par q vie, les
[illegible] ties fons lesses, de vie et

le lessement ou ses dans
ſ, la lessour ne ne ne
briefs. Aux briefs de
tre sens assensa capitu
li, ou an abbe prioure
ou ne lque ad couent ou
conuensate, aliene ires
ou tenements de droit
de son eglise sans las
sens du couent ou Cha
pitre. et ceux dont
ques son successour a
uer ce est briefs. et pu
si cõtenus in le Per Cut
et Post. Aux briefs
de uitre causa matrimo
nii prelocuti gist lou un
dane serres ou tene
mentes en home sur
iscl condicion qil pn
dra uniteis la femme
de un certain temps et
il ne ly espouse deins
la dit temps un espouse
auter femme. et lui
fait prester ou extra

the lessour shall be
this writ. Also an
abbot, or other
spiritual person
or abbot, or such
other that hath con
uent or conuensate
aliene the lands or
tenements of his
church without the
sent of couent or Ca
pitre and the ab
bots successor that
this writ, and are
made in the Per
Cut and Post. Also
writte of Entre con
matrimonii prelocu
ti, lie where a man
meth lands or tene
a man vppon such
ditiõ that he shall
one such to wife
within a certayne tem
and he do not espou
her within the
time, or espouse an
other woman, or ma
himselfe priestes, or

in religion, or bin
able is that her can
take her according
the layde condicion.
then the donour or his
heires shall haue the
wait against him
against whosoever
that is in the said land.
Also it beehoueth, that
the condicion be made
in indenture, or other
writte bothe
dye.

Entrusion is a
writ, wherby the whore
tenant for terme of
bothe layen of
landes or tenementes,
and a straun
entrethe, he in the
reuersion shall haue
the said wait against
the tenant, or against
whosoever that is in
the their disseisin. Also
writte of Entrusion

en religion, ou le dis-
ablement que
el prender accordant a
la dyt condicion, dan-
ques le donour ou ses
heires auera le dyt
briefe vers luy ou vers
quecunque que est ens
en le dit terre. Auxi,
il conuient que cest con
dicion soy fayt per ine
denture, au autrement
cest briefe ne gist.

Entrusion est vne
briefe, & gist lou te-
nant a ter de vie ou de
saisin de certa interres,
et tenementes, & vne
estraunge entra, celuy
in le reuersion auera
le dyt briefe vers la
donour ou vers quecun-
ques que soit eyns a-
pres lour disseisin. Auxi
vn briefe de Entrusion

faire le record de venire
devant justice de co-
men banck. Auxi si er-
rour soit trouue en lescha-
quer il serra redresse p
le chancellor & resor-
rer, vt pater per statu-
tum. E. iii. anno. xxxi
C. xcii.

Essoin est lou vn action
est port & le plaintife
ou defendant ne puis bi
en appeler al iour vn co
urt pur vn de. v. causes
desouth expresses dont
il serra essoine de sauer
son defaut vnde nous
sont. v. maners de essoin
s. essoine de ouster le mere
& ceo est per. xl. iours.
Le. ii. essoin de terre pa
ta & ceo serra pour vn
an & vn iour, ro ceo
deux serrons gist all co
mencement de ple n

to make the record to
come before the justice
of the common place.
Also if errour be found
in the exchequer it
shalbe redressed by the
chancellour and trensu
rer as it appeare the by
ye statute of Ed. iii. anno.
xxxi. C. xcii.

Essoine is where an
action is brought & the
plaintife or defendante
maye not wel appeare
at the daye in court for
ons of ye vi causes vn
der expressed, then he
shalbe essoined to saue
his defaut whereupon
note wel that there be
vi. manner of essoines, ye
is to saye. Essoine de
ouster le mere, and ye
is by. xl. dayes, ye se cōd
essoine is de terra sanc
ta & ye shalbe bye a yere
& a day & these twaine
yt all ber tayde in the

begin-

beginnynge of the plee
the iiiiter, the iiii. essoin is
be made forthe, and that
shalde at fouten dayes
as the action requireth
and this is called the
camen essonge when e
bothe the essonne shall
be dakte de fauts and
the boke of abridge
of statutes, where it
is well declared.
Also the iiiii essonne is
de ward dreit and that
is onely in a writte of
right and there vypon
there shall a writte go
oute of the chauncerye
direct to the sherif that
he shall send iiiii. knig
ghtes to the tenaunte
to see the tenaunte if
he be sicke to gene hym
a day after a yeare and
a day. Also the v essoin
is de seruice le roye
and it lyethe in all ac
tions except in assise

dicitur. Le tierce essoine
est de wade vener & ceo
serra al tourn ou q̃ cue
la accion require, & cest
app. le comen essoin, &
quant & coment cest
essoin serra, vide les sta
tutes et le liuer de a
bridgement des statu
tes, son il est bien de
clare. Auxi le iiii. es
soin est de malo lecti & c
ceo est solement in brief
de droit, & sur ceo ise
serra brief hors de chau
cery directe al vicount
que il mandeis iiii. chi
valers al tenaunt de
vaier le tenaunt et sil
soit malad, de doner a
luy iour apres vn an &
vn iour. Auxi le v. es
soin est de seruice le roy
et est in toutes de
ons sofque in assise

Auxi ſi enfaſ alien ſa terre et denie ſon iſſue a ſon plein age auera ceſt brief on puis enters mes liſſue. nauera ceſt briefe deins ſon age.

also if an infaunt alien his land and he dyeth iſſue at his full age shall haue this writ entere hes mage entre butte the iſſue shall not haue this writ within his age.

Eieccione firme vide de ceo in le title quare eiecit infra terminum.

Eiectione firme, looke for that in the title quare eiecit infra terminum.

Eiectment de garde vide de ceo in le tytle garde.

Eiectmente de garde, loke for that in the title garde.

Enter eſt lou vn home entra in aſcun terre ou tenemente in ſon proper perſon ou auter per ſon commaundement. auxi ſount diuers briefes de tre queux ſont in diuers maners; vn eſt brief de tre ſur diſſeiſin, et ceſt briefe gist lou home eſt diſſeiſie & deuye ſon

Entre is where a man entreth in anys land or tenementes in his proprye perſone or any other by his commandement. Also there be diuers writes of entre which be in diuers manners: one is a writte of entere ſur diſſeiſyn; and this writ lieth when a man is diſſeyſed and dyeth

heyre auera lauenan-
dit briefe vers mesme
le disseisour. Brief den
tre cuide per gist lou hõe
est disseisy de sõ franke
tenement, & le disseyo-
sour deuie seisy, & son
heyre entra, dونques le
disseisy ou son heyre a-
uera le dit briefe vers
le heyre le disseisour, ou
vers l'alienee le disseisor,
mes pruat le disseisor,
il puit auer assise si il
vyle, & le brief Den-
tre dirra, in quod A.
non habet ingressum nisi
per B. qui illud ei di-
misit, quod inde injuste
disseisiuit &c. Mes sy
le disseisor alien, & le
alienee alien ouistre a vn
auter, ou si le disseyo-
sour deuie, & son heyre
entra, & celuy heyre
deuie, & sõ heyre entra

donques la dyssersie ou
son beyt ouera brefe
Dentre sun dissesin en
le Per & Cui & le
brief de ina in quod ide
non habet ingressum nisi per
B. cui illud ei dimi-
sit quod idem B. injuste &c.
Et nota q̃ vn brief de
ine in le Per et Cui ser-
ra maintenable vers
vn lay mais ou il q̃est
tenant soit tenus per pur
chase ou prescrip. mes si
la dicta nacio ou disseit soit
de tenus hors des de-
grees sur q̃ vn brief se
puis ser faire vn le Per
ne in le Per & Cui. nõ
q̃ serra fait en le Post,
et le brief de ina in qd
A. nõ habet ingressum nisi
post dissesinã quam B.
inde injuste & sine iu-
dicio fecit fat. N. vel
in pane N. cum alieres

have a writte of Ent
for disseisin in the
& Cui, & he writte shall
in qd ide A. nõ habet
gressum nisi per B. cui
illud ei dimisit quod
de iniuste &c. Sum
well, that no writte
entre in the Per &
shall bee maintenu
agaynste none, bu
where he that is ten
bee in by pourchase
discent but if the al
nacion or disseisin
come out of ye degr
upon which he ha
maye bee made in
Per, not in the Per
Cui, thanne it shall
made in the Post,
the writte shall saye
quod A. non habet
gressum nisi post
seisinam quam B.
de iniuste et sine iu
cio fecit parfait N.
in pane N. cum
res ipse est. Also the

ose est. Auxi sont v.
choses à mettre briefe
dentre hors des degrees
s. Entrusion, Election
Disseisin sur disseisyn.
Iudgement et Eschete.
Entrusion est quant le
disseisour denie seisye,
et vne estraunge abate.
Disseisin sur disseisyn
est, quant le dysseisour est disseysie per vn
auter. Election est en le
disseisour est vne home
de religion & denie
on est depose, et son suc-
cessour que est elect en-
tra. Iudgement est,
quant vn recouer vers
le disseisour. Eschete est
quant le dysseysoure
denie sans heyre, au
faytelonye per que il
est attaint, per le seig
nioure entra come in
some eschete, in touts ces

cases le disseisin son
heyre auera briefe
de Entre deyns les de-
grees in le Per, mes in
le post, par ceo que in
ceux dits cases il ne
sount ains per discent,
ne per purchase. Auxy
ly ad un briefe den-
tre au commun le-
gem, et si lou tenaunt
a terme de vie, tenaunt
a terme dauter vie, te-
naunt per le curtesie,
ou tenant in dower al
en de dente, donq celuy
en la reuersion, auera
vna mundis briefe de-
uers quecunq que soyt
deyns apres en les dites
tenements. Auxi briefe
Dentre in casu prouiso
si le tenaunt in dower
alien in fee ou a terme
dauter vie viuaunt le
tenaunt in dower celui

taint a benefice de
heyre ioint not
but in the degrees in
tune in those cases
les they are not in
uisest or by purc
also there is a w
de Entre ad com
mun legem, and
where tenant for
of life, tenant for
of another's life,
by the curtesie,
naunt in dower
nebe and per
in the reuersion
haue also a
against whosoever
is in, after in the
tenements.
vsale of Entre
prouiso si le
in dower alien
or for terme of
for another's life,
the tenaunt in du
he in the reuersion

[illegible] reuersion auera la
[illegible] briefe, appelle briefe
[illegible] dentre in casu proui-
[illegible] so. Auxy briefe den-
[illegible] trer en casu consimile,
[illegible] qui tenaunt a terme
de vie, ou tenant per la
[illegible] ceste alienation fait
[illegible] eux, celuy en la
reuersion auera briefe
appelle briefe de entrer en
consimile casu. Auxy
briefe de entre ad terminum
qui preterit est si
vn home lessa terres a
vn auū pur terme dans
& le tenaunt tient ou-
tre son terme, donq; le
lessour auera briefe q
est appell briefe de entre
ad terminum qui pre-
terit. Et auxy si terres
sont lesses a vne home
pur terme d'auter vye,
& cesty pur q vie, les
tres sont lesses, de vie et

le lesseient ensemble dan
ef, la lessour, ancra, lesse
briefe. Auxi briefe de
tre sene assensu capitu
li, gist en abbe prioun,
ou autre que ad couent ou
conuenseate, aliene ices
ou tenementes de drey
de son eglise sauns les
sens de couent ou Cha
pitre, et ireux plain
ques son successour a
ner cest briefe, et pu
it ca fuyt in le Per Cut
et. Post. Auxi briefe
de entre causa matrimo
nii prolecuti gist lou un
dane serra ou tene
mentes a un home sur
tiel condicion qil pn
dra un tiel a sa femme
de ynsces sin temps et
il ne lay espousa deins
la dit temps un espouse
auter femme, ca lu
fait prester, ou entra

the lessour shall be
this writ. Also an
Assize of Novel Disseisin
Capitulo, lyeth the
writ. Also the lessour
such that hathe con
ferred, leased or
hathe taken ye tene
ments of ye religious
churches without ye
sent of couent or Ca
pitul, and ye abbe
his successor shall
this writ, and ye
be made in the Pa
Cut and Post. Also
writ of Entre cum
matrimonii prolecuti
lies where a man
hath landes or tene
a man upon such
dicion that he shall
one such to wife
within a certayne ter
and he do not espou
her wyth in the
termes or espouse an
ther woman, or ma
himselfe priestes or

in religion, or him
able in that her can
not take her according
to the layde condicion,
then the donour or his
heires shall haue the
assise wait against him
against whosoever
that is in the said land.
Also it beehoueth, that
the condicio bee made
by indenture, or other
writtings writte to the
layde.

Entrusion is a
writ, and lyeth where
tenaunt for terme of
lyfe, or of lande or tene-
ments, and a straun-
ger entreth, he in the
reuersion shall haue
the said wait against
the abator, or against
whosoever that is in
the their disseisin. Also
writte of Entrusion

en religion, ou luy dis-
able, issint q̃ luy puis
el prender accordant a
la dyt condicion, dan-
ques le donour ou ses
heires auera le dyt
briefe vers luy ou vers
quecunque que est ens
en le dit terre. Auxi,
il conuient que cest con
dicion soit fayt per in-
denture, ou autrement
cest briefe ne gist.

Entrusion est vne
briefe, & gist lou te-
nant a ter me de vie ou de
saisie de certa in terres,
et tenementes, & vne
estraunge entra, celuy
en la reuersion auera
le dyt briefe vers la-
bateur ou vers quecun-
ques que soit eyns a-
pres lour disseisin. Auxi
vn briefe de Entrusion

serra maintenable par le successour dun abbe vers labatour que en ira in aucun terres ou tenements tempore vacationis, que appent a sa esglise. Marlebrige cap. xlviiimo.

Elegit est vn briefe iudiciall, & gist lou home adrecouer dette ou damages in le court le roy sil suppose q̃ les biẽs lauter ne sont suffisient, donq̃ il auera cest briefe al viconte a deliuer a luy touts ces biẽs & chateux except que les boffes & affres de sõ eardue, et auxi le moytẽ de sa terre q̃ serra a luy deliuer per resonable extinct que il tiendra tanq̃ le summe soit leuie des issues &

shall bee maintenable by the successour of an Abbot against the abbot whose that entrie in any landes or tenementes in the tyme of vacation p̃ belongeth to the church spirituall or bridge p̃ last chapter.

Elegit is a writte iudicial, & it lieth where a man hathe recouered in the kinges court dette or damages, if hee suppose p̃ p̃ goodes of the other be not sufficient then he shall haue a writte to the sherifte to deliuer to him all the goodes & catteles except oxen and implements of his ferme, and also the halfe of his land which shall be to him delivered bye reasonable extent that he shall holde it till the summe be leuied of the fayde issues

and

and profites,

Errour is a fault, and
trip the where a false
iudgement is geuen in
the court place, or bre-
fore the iustices in assise
of ouer terminer, or
before the Maior, and
sherifes of Londonne,
or in other courte of re
cord, for to make the
record and proceed to
come before the iustices
of the kynges benche
and if there errour be
found, it shal be reuerse
d, but if a false iudge-
ment be geuen in the
kynges benche, then yt
shalbe reuersed by the
parliamente. Also yf a
false iudgement be gee-
uen in courte that is
not of record, as in
countie, hundred or
courte baron, then the
parte shall haue a writ
false iudgemente for

profites.

Errour est en brieffe
et gist lou faux iugemẽt
fait en la comen bãk
ou deuant iustice in
assise ou deuant iustice
de oyer et terminer ou
deuant la mayer ou vy
count de londres, ou in
auter court de record
pur faire venir le re-
cord et proces deuant
les iustices de bank le
roy en bas errour soit
trouue il serra reuerse,
mes si faux iugemẽt soit
fait en bank le roy
nõq. il serra reuerse per
parliament. Auxy si
faux iugement soit fait
en court que nest de re-
corde cõe in counte, hũ
dred ou court baronũ, dõ
ques la pte auera brief
de faux iudgemẽt pur

faire

faire le record de venire
de quant iustice de co-
mon banck. Auxi si ere-
rour fust trouue in lescha-
quer il serra redresse p
le chancellor & ceo so-
rer, vt patet per statu-
tum. E. iii. anno. xxxi
C. xcii.

to make the record to con-
tone before the iustice
of the common place.
Also if errour be found
in the exchequer it
shalbe redressed by the
chancellour and treasu-
rer as it appeare the by
ye statute of Ed. iii. anno.
xxxi. C. xcii.

Essoin est lou vn action
est port & le plaintife
ou defendant ne poit b
en appeter al iour in co
urt pur vn de. v. causes
desouth expresses dong
il serra essoine de sauer
son defaut vnde nous
sont. v. maners de esson
s. essoine de ouster le mere
& ceo est per. xl. iurors.
Le. vi. essoin de terre sa
ta & ceo serra pour vn
an & vn iour, et ces
deux serront gisti all co
mencement de ple

Essone is where an
action is brought & the
plaintife or defendante
maye not wel appeare
at the daye in court for
one of ye v. causes vn
der expressed, then ye
shalbe essoined to saue
his defaut whereupon
note wel that there be
v. manner of essones, ye
is to saye. Essone de
ouster le mere, and ye
is by. xl. dayes, ye se cõ
essone is de terra sanc
ta & ye shalbe bye a yere
& a day & these twaine
shall ber tayde in the
begin-

beginninge of the plee
be sicker, ye iii. essoin is
be male peiner, and that
shal be at tenen dayes
as the action requireth
and this is called the
comen essone, when e
bowe this essone shall
be sokt the statuts and
the boke of abridge the
tes of statutes, where it
is well declared. Also
the iiii. essone is
be main dreit and that
is onely in a writte of
right and there vypon
there shall a writte go
oute of the chauncerye
direct to the sherif that
he shall send iiii. knig
ghtes to the tenaunte
to see the tenaunte e ye
he be sicke to gene hym
a day after a yeare and
a daye. Also the v. esso
is de seruice le roye
and it lyethe in all ac
tions except in assise
of

dicitur. Le tierce essone
est de male vener & ceo
serra al comen iour geve
lecion require, & cest
app. le comen essoin, &
quant & coment cest
essoin serra, vide les sta
tutes et le liuer de a
bridgement des statu
tes, son il est bien de
clare. Auxi le iiii. es
soin est de male leery &
ceo est solement in brief
de droit, & sur ceo ise
serra brief hors de chau
cery directe all vicount
que il main de iiii. chi
valers all tenaunt de
voier le tenaunt et sil
soit malad, de doner a
luy iour apres vn an &
vn iour. Auxi le v. es
soin est de seruice le roy
et est in toutes de
ons sofque in assise
de

de mouel disseisin brief of mouel disseisin, de dower, de rein prest, of dower, darrein presentement et in appell de murder, mes in cè essoin il conuient al iour de mõstre son garant ou autrement il tornera en vn def sil soit in plea al ou il per ha xx. pur le iurney en plus p discretion des iustices sil soit en plee personel, ne pas per statut de gloucester capitulo decimo.

Estray est lou ascun best ou catel est in ascũ seignorie et nul conust le owner de ceo, donq, il serra seisi al opis lei ou le seignour que ad title estray per graunt lei ou per prescripcion et si le owner vient & sait claime a ceo dens vn an & vn iour, donc

of dower, darrein presentement and in appell of murdure, but in this essoine it behoueth the to the daye to the iuge hys warrant or else he shall be conuinced and forthwith in a plea real or personel he shall lose no for the iourneye mans sake by the discretion of the iustice if it be in plea personell, as it appeareth by the statute of Glocester capitulo decimo.

Estray is wher any beast or catell is in any lordeship and none knowethe hym owner thereof, than it shall be seised to the vse of the kynge as of the lorde that hathe suche straye by the kynges graunte or by prescripcion, and if the owner comie and make claim thereto within a yeare and a daye, than

ques ille reuiñ, ou au terme ne apres an la p̃ pertie de ceo serra a le seignior issint que le seignior face proclamacion de ceo accordant a le ley.

Escape est lou vn qui est arrest deuersque a sõ liberte de naturel quel soit delisser per agarde de aslsin iustice ou per order del lay. A nuxi sy vn soit arrest et passe escape et est a son liberte & cesty sur que garde al suist lay reprise apres et lay amesne a le prisõ vnquore il est escape sur lay.

A nuxi si vn murder soit fait in le iour & le murderer ne soit prise donques il est escape per que le vil on le murder

Yet he shall haue it a gayne of his after the years the propertye thereof shall bee to the lorde so that the lorde make proclamacyon thereof according to ye lawe.

Escape is wher one that is arrested commeth to his libertye before that he be delyuered by the warde of a lawe iustice or lawe order of the lawe. Also yf one be arrested and after escape and is at his libertye, and he in whose warde he was take hym after warde and bringe him to the prison, yet yt is an escape in him.

Also if a murder bee made in the daye and ye murderer bee not taken, than it is an escape for the which the town where the mur-

der fuit fait serra a-
metery. Auxi si vn fe-
lon soit arest par le cō-
stable et amesū a le gail
in le counte et le gailer
ne veit luy resceiuer et le
constable luy dimitt &
le gayler auxi et issint
il escape cest vn escape
en le gailer pur ceo q̄ in
tiel case le gailer est te-
nus de luy resceiuer per
le maine le constable sa
ans ascun precept de le
iustices de peace. mes
autrement est si vn co
men person arrest auter
pur suspecion del felo
ny la le gayler nest te-
nus de luy resceiuer sa
precept de ascun des iu
tices del peace.

det was done shall be
amercyd. Also if a fe-
lon be arrested bye the
constable and brought
to the gaile in the cou-
te and the gaylour will
not resceyue hym, and
the constable lettethe
him go, and the gailor
also, e so hee escapethe,
this is an escape in the
gailour so that that in
such case p gaoler is bo
unde to resceiue hi by p
hand of p cōstable with
out any preceptof p iusti
ce of peace but other
wise it is if a cōme pso
arest another for suspe
cions of felony there p
gailour is not bounde
to receiue hym without
preceptof some iustice
of peace.

Eschete est vn biefe
et gist lou vn tenaunt
tient dum seignyour

Eschete is a waiffe
it liethe where a te
nant holdeth of a lord
with-

without mesne & doth
felonie for the which
he is hanged or abiu-
red the realme or bes
entailed of felonye,
murder or petty treson
or if the tenant by di-
scent heire generall or
speciall, then the lorde
may enter bye wayes of
escheate, or if another
enter the lorde shall
have ayenst hym this
writte.

Escuage is called in
latten Scutagium, that
is seruice of the shilde
and he that holdeth by
escuage holdeth by
knight seruice for her
that holdeth the bye escu-
age holdeth by homa-
ge and fealtie, and to
that belongeth lord
marriage & reliefe: but
it shalbe intended of es-
cuage not certain, whe
the escuage returneth
throughe England

sans mesne et sans felo-
ny pur quel il est pendu
ou abiure le realme ou
vn felonie felony, mur-
der ou petty treason ou
si le tenant mourust sans
heire general ou speciall
dunques le seignour pu
it entrer par voy de es-
cheate ou si autre home
entra le seignour auera
vers luy cest briefe.

Escuage est apprins la
ten scutagium seruis
cium scuti et dest qui
tient per escuage tient
per seruice de chiualer
quar qui tient per escu-
age tient per homage et
fealtie et aussi appert a
ceste mariage et relifes
mais il est intendu de
escuage non certaine
quant lescuage coure
per tout Engleterre.

et ast ne laisse pur tant le
conseil d'angleterre pur
sustenir guerres pur
ceux englesterre auant de
escosse ou de gallis que
chescun seignour deuer
certeine somme de fait
maunt pur maintener le
dit guerres si le se
maunt qui tient de seun
seignour per escuage so
it auec le roy in ses guer
res in escose, et le seig-
nour voit distraint luy
pur escuage il serra bo
ple adire qu'il fait a
ue le roy in escose in le
guerre, et conserra trie
par le maunt shall le roy.

Et repement est un brief
et gist lou un est impled
per un precipe quod red
dat pur certaine terre
si le demandant sup
pose que le tenaunt voit

And is in endeuored by
all ye counsel of Engl
land to maintaine the
warres yt were betw
land & ye of Scotl
or of Wales, that ye
lord shall haue a ce
tain summe of ye
maunt to maintain ye
said warre, but if ye
maunt whiche holdes
of any lord be escuag
ye with ye kinge in ye
warres in Scotland
and his lord will ye
traine him for escuag
it shall bee a good
to say ye bee was w
kinge in Scotland
his warres, & ye shall
tried by ye kinges m
shall.

Estrepement is
writ, & it lieth lou
one is impleaded by
pripe quod reddat
certain land in the
maundant suppo
that ye tenaunt

faire waste pendant le plee, il auera vers luy cest briefe q'est vn Prohibicion, luy comaunadant q'il ne face waste pendant le plee, & cest briefe gist proprement, lou vn home demaund terre per Formedon, ou brief de droit ou tiels briefes, lou il ne recouer damages, car in tiels briefes lou il recouera damages, il auera ses damages cy auant regard al waste fayt.

Et ate probande est vn brief doffice, et gist pur lheyre le tenaunt que tenuit de roy in chiefe pur prouer q' il soit de pleyne age, dyrect al vic. pur enquerer de son age, & dauq.

il deuiendra tenant al Roy per mesme les seruices que son ancestour fist al roy, mes il est dit que chescun q̃ passera in cest inquest, serra del age des, xlii, as al mets issint q̃ il fuit de plain age al temps que cest y que fuist le brisse fuit nee.

Executour est, quaum home fait son testamẽt & dauain volunte & in ceo nosma le pers b̃ q̃ executera son testamẽt donques cest y qui est issint n. sine, est son executour, & tyel executour auera action vers chescun dettour de so testatour, & si le executour, ad assets, chescun a q̃ le testatour fuist en dette auera action vers

shall become tenant to the king per [illegible] uices y was ancestour made to the king, but y is said, y [illegible] but that shall passe in this inquest, shall be of [illegible] of xlii. years at least so that he was of full age when he tooke [illegible] ety y writ was brought.

Executour is, when a man maketh his testament and last will, & therein nameth y person for to that shall execute his testament, & he that is so named is his executour and such an executor shall haue an action against euery dettour of his testatour, & yet the executor haue assets, euery person to whom the testator was in det, shall haue an action against the executoure, yet he haue

all

ani obligacion or especialtie, mete in euery case where the testator might wage his law, no action lieth against the executoure. Loke more thereof before in the title Administratours.

Exchaunge is where a man is seysed of certayne lande, & another man is seysed of other lande, if they by a deede inented or wythoute deede, yf the landes bee in one selfe countie, they exchange theire lands so that euery of the sayde lande other landes too yeuen exchaunged in fee, fee tayle, or for terme of lyfe, that is called an exchaunge, & it is good without lyuere & seisin.

Also, in exchaunge yt

le executours fil ad obligacion ou especialtie, mes in che scun case lou le testatour puisseit gager son ley, mult action gist vers executor. Vide pluis de ceo deuaunt titulo administrators.

Exchaũge est, lou vne home est seisy de certain terre. Et vn auter home est seisy de auter terre, s'ils per vn fayt indẽte ou sauns fayt, si les terres sont in vn countie, exchange lour terres issint q̃ che scun de eux auera auter terre a lui issint exchaunge in fee, fee tayle, ou terme de vie, ceo est appell vn exchange, & est bon sans liuere & seisin. Auxy in exchaunge il conuiẽt

que les estates a tux li-
mite p le exchaunge sont
egalles, ux ausi vn ad es-
tate en fee en sa terre,
& lautre ad estate in
lauter terre forsq; pur
term de vie ou in taile
donques ycel exchange
est voyde. mes si les es-
tates sont egalles, et les
terres ne sont de egall
value, vncore le exchange
est bon. Auxi vn ex-
change de rent pur tre
est bon. Auxi exchange
inter rent & comen est
bon & cep couient este
per fait. Auxi il coui-
ent touts fois que ceux
parole eschaunge, sont
in le fayt, ou autrement
riens passa per le fayt,
sinon q il ayet lyurere et
seisin.

Excommengement est

bee bouth the that the
estates to them lyuin
ted bye therchange bee
egall, for yf one have
an estate in fee in one
lande, & the other hath
estate in ye other lande
but for terme of lyfe or
in taile, then suche ex-
chaunge is voyde, but
yf the estates bee egall,
and the landes bee not
of egall value, yet the
erchaunge is good. Al-
so an erchaunge of rent
for lande is good. Also
an erchaunge betwene
rent & commen is good
and that ought to be
by deede. Also it doth
ueth alway, that these
woordes (erchaunge)
bee in the deede, or else
nothinge passethe by
deede, excepte that he
hane liuere and seysin.

Excommengement
is

ide to saye in latine, excõmunicatio, and pt ys where a mã by ꝑ iudgement in court christian is accursed, than he is disabled to sue any actions in ꝑ kynges court nisi hoc reuocatum fuerit, dayes and nyghtes not be iustyfied bye hys ordynary, then the bysshoppe shal sende his letter patent to the Chauncelour, & thereupon it shalbe commanded to the shyryffe to take the body of hym that is accursed, by a writ called de Excõmunicato capiendo, till that he hath made agreement to the bysshoppe for the contempt & wrong, & wher he is iustified and hath made greement, thãne the bisshoppe shal sende his letters to ꝑ kynge, certifienge the same, &

a dire in latine, excõmunicacio, q̃ est lour vne home per la iudgement in court christian est excõmenge. donq̃ il est disable de suer a ascũ action in le court le roy, et syl remayne excõmenge xl. iours, et ne voyle estre iustifie per ꝑ Ordinary, donq̃ le ieuesq̃ mande a sa letter patẽt al Chauncelour, et sur ceo s'ra maunde al vic. de prender le corps lexcõmenge per vne brieffe appell de Excõmunicato capiendo, iesq̃ il ad fait gree al saint esglise pur le contempt et tort, et quant il est iustifie et ad fait gree, donq̃ le ieuesq̃ mander a sa letter al vicr certyfiant ceo, et donques serra maunde al vis-

count de luy deliuer p vn breefe, appelle de Excommunicato deliberando.

Execution est, lou ingement est done in ascũ action q̃le pleintife recouera la tre, le det ou damages come le case est, & quaunt a ceun briefe est agarde de lui mitter in executiõ, ceo est appell briefe de Execution, & quant il ad le possession de le terre, ou est payde des ou damages, ou ad le corps le deff. agarde al prison, donq; il ad executiõ et si le pleintif in count ou court baron ou hũdred et ils alienans le ingement in fauuur del ptie, ou per autre enchesoñ, donq; le demaũdãt

then it shalbe commaũded to the shirife to deliuer hym by a wrytte called Excommunicato deliberando.

Execucion is when iugement is geuen in any action ye the plaintife shall recouer ye the det or damages as the case is, and wherin anye writte is warded to put him in possession that is called a writte of Execucion, and wh he hathe the possession of the lande or is payde of the det or damages, or hathe the body of ye defendant awarded to prison then he hath execution, and if the plaintife be in the countye or court baron or hundred and theye deferre the iudgemente in fauour of the partye, or for other cause, than the demaũ

mandament shall haue a writte de Executione iudicij. Also in a writte of Det a man shall not haue recouery of anye lande but of the whiche the defendant hath day of iudgement yelded And of chattels a man shall haue execuciõ onely of the chattels whiche he hath day of execuciõ sued.

Extinguishemente is, where anye man hath anye rente goynge oute of anye lande and he purchaseth the same lande so that he hathe such estate in the land whiche hath in the rente thenne the rente is extinct, for that that one maye not haue rente goynge oute of his

auera briefe de Execucione iudicii. Auxi en briefe de Det home auera recouere de nulle terres de ceu que le defend. auoit liuere de iudgemẽs rendu. Et de chateux home auera execucion solement des chateux que eux il auoit row de execucion sue.

Extinguissement est lou ascun seignioux ou ascun auter ad ascun rente issant d'ascun terre, & il purchase mesme la terre, issynt que il ad tyel estate in la terre, come il auoyt in le rent, donques le rent est extinct pur ceo q'vn ne pant auer rent issant hors de son

terre demesne. Auxi quant a sum rent ferra extiont si il conuient que le terres ey devent sonnt in mutuum ex auxi q̃ lestate que il ad ne soyt defesable, et auxy q̃l ad auxi bone estate en le terre come in le rent, quar si il ad estate in le terre forsq̃ pur terme de vye ou dans, et ad vn fee simple in le rent donques le rem nest extinct, mes le rent est in suspence pur cel temps et dong apres le terme fee et est reuiue. Auxy si soit seignieur, mesne et tenaunt, et le seignour purchase la tenaunce, dong le mencalty est extinct, mes le mesne aura le surplusage de rent si a cel sort come rent secke,

hys blind lande. Also when any rente shall be extinct, it behouethe the lande e the rent to be in one hande, e also if the estate he hathe be not defesable, e also he hee haue as good estate in the lande as in the rent, for if hee haue estate in the lande butte for terme of lyfe or pen res and hathe fe simple in the rent, then ỳ rent is not extinct butte the rent is in suspence for that time, and than after the terme, the rent is reuiued. Also if there be a lorde, mesne, e tenaunte, and the lorde paunchase the tenaunte, then the mencalty is extinct, but ỳ mesne shall haue the surplusage aõ the rent of sherre secke, or auent secke. Also if a mãne

[illegible] ainsi home ad thy-
[illegible] min appendant et pu-
[illegible] rpurchace le terre ā q
[illegible] le chim y est. ad quesle
[illegible] chim y est extinct, et
[illegible] auxi est de vn comen ap
[illegible] pend.

[illegible] Exigent est vn brefe
[illegible] a ass. lour home sue ac-
[illegible] cion personel et le deff.
[illegible] ne pert esse trouue ne ad
[illegible] rens dens le counte p
[illegible] que il puit este attache
[illegible] et distreint. conques
[illegible] est brefe offera al vic.
[illegible] de faire proclamacio
[illegible] vl. v. counties ch. cum a
[illegible] pres auter que vl appere
[illegible] ad ultimum quel ser
[illegible] vl. exigent est sort vi-
[illegible] lage, donq; tonnes ces bi
[illegible] ens et biens x sont for-
[illegible] faites al roy. Auxi in
[illegible] vn indictement ne est lo-
[illegible] ly exigent ne gist ap s
le

le prim capias et auxy in capias ad computandum ou ad satisfaciendum et in chescun capias que issint apres ingement le xigent issera apres le primer capias et auxi in appell de mort mes nemy in appell de robery ou appell de maime.

Ex parte talis vide de ceo devant titulo accompt.

Ex grant querela vide de ceo devant titulo denise.

Faux imprisonment est un briefe et est lou home est arest et restrainde son liberti per un autre encontre ordre de la dounques il aura vers luy cest briefe per que il recouera damuages vide plus de ceo devant

shal go forthe after the first capias, & also in a capias ad computandum ou ad satisfaciendum and in cuerpo capias that go the forth after ingement the exigent shall goe forthe after the first capias, & also in appel of death but not in appel of robery ou appel of maim.

Ex parte talis look therefore before in the title accompt.

Ex grant querela look therefore before in the title denise.

Faux imprisonment is a writte, and it lieth where a man is arrested and restrayned from his liberte by another against the order of the law, thē he shall have against him this writte wherby he shal recouer damages. A poke more

thereof before in the ty
tle arrest.

Faux iugement lake
therefore before in the
title errour.

Fee simple is when
lands or rente or other
thinge inheritable ys
geuen to a man and to
his heires for euermore
and these words, his
heires make the estate
of inheritaunce, for yf
land be geuen to a mã
for euer yet hee hathe
but an estate for terme
of lyfe. Also if tenaunte
in fee simple dye, his
first sone shall hee hys
heire, butte if hee hane
no sonne then all hys
doughters ý hee hathe
shal be his heire, & euery
one shall haue her
part, by partition butte
if he haue no sone nor
doughter thenne hys
next cosen collaterall
of the whole bloode
of

titulo arest.

Faux iugement vide
de ceo demaunt titulo
errour.

Fee simple est quaunt
terre ou rente ou auer
chose inheritable ē doñ
a vn homme et a ses heires
a tousiours, et ceux q
olx ses heirs sont lestat
de heritaunce quar si
terre soit done a home a
toutes iours mqore al
nad forsque estate pour
terme de vie. A uxi si
tenant in fee simple de
ue son primer fils ser-
rason heir, mes fil nad
fits donques toutes les
fils que il ad serrõt son
heire et chescun auera
son part per partition,
mes fil nad fits ne file
donques son prochenne
cosi colateral de lētsak
serra

Terra ſon heyre. Auxi ſi
ſoit pier et fits et le pyr
et ad vn frere et le fyts
purchaſe terre in fee et
deuie ſans iſſue, donq
ſon vncle entera de terre
et nemy ſon pier pur ceo
que terre quiet lineally
deſcende et nemy aſcend
mes ſi vncle deuie ſans
iſſue donques le pier a
nemy la terre come heire
al vncle que eſt ſo frere
pur ceo que il ſera al
terre per collateral deſ
cent et nemy per lineall
aſcencion.

Auxi ſi le fits purchas
terre in fee ſimple et de
ny ſans iſſue ceux de
ſon ſanke de parte ſon
pier auera la terre deſ
cendes al heires de par
ſon mere, mes ſi terre deſ
cend al fitz de parte le

ſhall bee hys heire. Al
ſo yf there bee father
ſonne and the father
hatha brother, and the
ſone purchaſeth lande
in fee, and dieth with
out iſſue, than hys bro
the ſhall haue the lande
and not the father,
for that the lande mag
lineally deſcendes not
aſcend, but if the vncle
dye without iſſue, then
the father ſhall haue
the lande as heyre to
the vncle whithe is his
brother for that he ri
meth to ſtand by colla
teral diſtinte e not by
lyntal aſcencion.

Alſo if the ſonne pour
chaſe lande in fee ſym
ple and dye wythout
iſſue cheyſe of his bloo
on the fathers ſyde
ſhall haue the lande
but if he haue no heyre
on the fathers ſyde, the
lande ſhall deſcend

to

to the heires on the mo
thers side, but if lande
inherited to the sone on
fathers side & he dye
without issue than the
heires on the fathers
side shall have the lande,
but if he have no heires
on the fathers side, the
heires on the moth ers
side shall not have the
lande, but the lorde of
whome the lande is hol
den shall have them by
escheate, and this chan
ce is if lande discende
to the sonne on the mo
thers side. Also if there
be many brethern, and
if any one of them pur
chase lande in fee, and
dye without issue, the
lande shal descende alle
ways to the eldest bro
ther for that that hes
is moste worthye of
blode. Also no man
shall haue lande in fee
simple bye descente as

pierre il deuie sans el
fue dauantage, les heires
de parte le pier auerant
la treme, si mad heir
de parte le pier les heires
de part le mere mainte
nant le terre mes le sei
gnour de que le terre
tient in auer par escheat
en ceste cas. Ley est si
terre descent al fits de
pais de quel a auoit
sont diuers freres & si
a ceux de ceux pur chase
terra ensemble & deuie
sans issue leuante des
cendra ou ceux soient a le
plus eisne frere par ce
que il est plus ieuo de gne de
sank. Auxi mad home
auer terra de sa fee sim
ple per descent a ma heir
ie a ceux home si mon
que il sont heire de le
ire sank, quar si home

ad

ad issue fuis es fille per
vn lentre a per vn feme
et fils per autre femme
& le isne frere purchas
terre ī fee & deuie sace
issue le puisne frere
auera le terre mes
la sore auera la terre
pour ceo que il est de
lentre sanke al eisne
frere. Auxi in le case
auant dit si le pier de-
uie seisye de terre in
fee simple et le isne fils
entra & mis vust sans
issue la fille auera le
terre & nemy le pu-
isne frere, mes si le isne
fils ne entra apres la
mort son pere, mes de-
uye demaunt a seon en
tre pur luy fait donq
ques le puisne frere a-
uera la terre quar pos-
sessio fratris in feodo

heire to any mā except
ye he be heire of ye hole
blood, for if a mā have
issue a sone & a daugh
by one bēter ye is to say
by one wife, & a sonne
by another wife, & ye el
dest sone pourchaseth
lānd, in fee & dieth wout
issue, ye ponger brother
shāl not haue the land
butte ye daugheter shall
haue the land, for that
she is of ye hole blood
the eldest brother. Al
so in the case before sa
id if the father dye seis
sed of lands in fee simple
& the elder son dothen
ter & dieth wout issue
ye daugheter shall haue
the land & not the yon
ger brother, but yt the
elder sone enter not af
ter the death of his fa
ther but dye beforze a
ny enter made by hym
than the yōger brother

shall

shall bee the land, for
the possession of the bee
fore hee simple made
hee liuer to be heire
of the taile is to say e
landes is geuen to a
man and bys heires of
his bodye begotten and
hee is called te
nant in the taile ge
nerall, but if landes bee
geuen to the husbande
and the wife and the
heires of their. ie. bo
dies begotten, euentho
husbande and the
wife bee tenantes in
the taile especiall, and
none of them bee
that survyueth is te
nant in taile after pos
sibilitie of issue extinct
if hee make waste bee
shall not bee impea
ched for that waste, but
if landes bee geuen
to a man and to his
heires that hee sim

simplice facit forfaitem esse heredem.

Fee taile est lou terre est
done a vn home et a ces
heires de son corps in-
gendres et il est dit te-
nant en la taile gene
rall, mes si terre soit do
ne al baron et femme et
al heires de lour deux
corps engendres, ore le
baron et la femme sont
tenannts en le taile es
pecial. Et si vn de eux
de vie cesty que survyue
est tenant en le taile a
pres possibilitee d'issue
extinct, et si il face wast
il ne serra empeche de
cel wast, mes si terre so-
it done a vn home &
a ces heyres que il

en

ingender de l'corps son
femme donques le baron
est tenaunt in le taile es
pecial et la feme nad
rien. Auxi si terre soit
dane al baron et sa
femme et a les heirs de
corps le baron engendres
donques le baron ad es
tate in le especial taile et
le femme nad estate forsque pour terme de vie.
mes si terres sont dane
al baron et sa femme et
a les heires que eux le ba
ron engender de corps
celuy femme n'est cesa
ambideux ont estate
in le taile par ceo que
est parols heires ne ly
met al ung plus q̃ a lan
ter, mes si terres sont
dane al baron et sa feme
et a les heires le baron
queux il engender de
corps sa feme donques

engender the
body of his wife
the husband is tenant
in the taile special
the wife hath nothing
Also if lands be given
to the husband and
his wife, and to the heirs
of the body of the hus
band engendred,
the husband hath an
estate in the special
taile and the wife
no estate but for term
of life, but if lands be
given to the husband
and his wife and the
heires which he husband
engender of the body
in this case both the
hath estate in the taile
for that these words
heires do not limit
to one more than
another, but if lands
be given to the hus
band and his wife and
heires of the husband
which

el ad forsq; estate pur
terme de vie. Auxi sont
diuers auters estates in
le tayle, sicome terres
sont dones a vn home et
a ses heyres males de
son corps ingendres, in
tyel case le issue female
ne vaques inheritera,
car si le issue male ad is-
sue female que ad issue
male, vncore tiel issue
male ne heritera ap force
del taile, car il coniens
tout fonts de conueyer
an descent tout per les
males. Et in le cey est, si
terres sont dones al is-
sue female in tiel ma-
ner le issue male ne iam-
ques inheritera. Auxi
si terres sont dones a vn
home, et a ses heyres
males ou ses heyres fe
males, donq, le done ad
estate in fee simple, pu-

ero q̃ nest limite de quel
corps issue vendra.
Mes si le roy donetres a
vne home & a ses heyr
es males, & le donee
deuie sans yssue male,
dond le cosin collateral
del donee inheriterra,
mes le roy reenira, &
issynt fuit adiudge in
le scheqier ebubet an.
xviii H. 8. in vn Infor
mation fait vers le roy
de sy Thomas Lonel
chiualler. Auxi si ter
res sont dones a vne
home & vn femme que
est le file ou le cosin le
donour in frank mar
iage, donques le home et
la femme sone tenants
vne especiall tayle, quar
per ceux paroles, frank
mariage, ils auerount
le reuer a eux, & les
heyres parenter eux en-

tayle for that it is
not expressed of the bo
dye the issue that
But if the kinge gra
lande to a man and
his heires males, and
onder dyethe without
issue male then the co
sine collaterall vnto
donee shall not ten
ryte, but the kinge
reenter, and so it was
adiudged in the scha
quier chamber ahed
pre of K. Ho. 8. vpon
Informacion made
gainst the heire of
Thos Lonell knight
Also if landes be gi
ne to a man and to a wo
man which is the bound
ten by the cosin of the
donour in franke ma
riage then the man
the woman be tenants
in the tayle especiall
for the sake. wordes
(frankemariage) they
shall haue the land to
an

and to the heyres ber-
ten and them begotten.
Also the seruyce gyfte in
the tayle, if the tenaunt
in fraite dye without
issue which is inheri-
table by force of tayle,
and noe further men-
cion made in ye graunte
howe the lande shall
goe, then the reuersion
of fee simple shall re-
uert alway to ye donor
and his heires. Also ye
donees in the tayle and
their yssues shall doe
the seruice to the do-
nour and his heires,
as the donour doth to
the lorde vnto hym
aboue. but the donees
in frank mariage shall
holde quyte from all
manner seruice, except
fealtye, tyll the fourth
degree be past.

engendres. Auxi in
chescun donee in le tayle
si le tenaunt in le taille
deuye sans issues, que
est inheritable perforce
del tayle, & vail ouster
mecton fait in le graunt
a que de terre alera,
donques le reuersion de
fee simple, reuertera
tout foys al donour &
ses heyres. Auxi les
donees in le tayle, &
lour issues ferront tiel
seruice al donour et ses
heyres, come le donour
fayt a son seignioure
proscheine auny para-
mont mes ses donees in
frank mariage tien-
drount quytement de
chescun manier seruice
sinon fealter, tanque le
quart degree soit passe.

Feffement est lou

vn donr terre a vn autre en fee simple, en quãt il de liuer seisin & possession del terre, ceo est vn feoffement. Auxi si vn fait done in le tayle ou lesse pour terme de vie ou pur terme dauter vie, il conient auxi de douer liuere & seysin, ou autrement riens passera per le graunt.

Fee ferme est quant vn tenaunt tient de son seignour in fee simple rendant a luy le value del moite ou de tierce partie ou quatre partie ou de auter parte del terre per an, & quelcunque en fee ferme, ne doit faire auter chose, mes sicome est contenue in le feoffement fors fealtie, quar ceo appert a

man geuethe lande to another in fee simple, & when he delyuereth liuere & seysin and possession of the lande, that is a feoffement. Also, if one maketh gift in ye tayle, or a lease for terme of life, or of another mans life, it behoueth also to geue liuere & seisin, or else nothing shal passe by ye graunt.

Fee farme is when a tenant holdeth of his Lorde in fee simple, payinge to him the value of halfe, or of the third or of the fourth parte, or of other parte of the lande by the yere. And he that holdeth by fee farme, ought to do no other thing than is contained in ye feoffement but fealtie, for ye belongeth to all kynde

of

al tenures.

Frank mariage is, when I geeue lande to a man & his wife whoe is my daughter, or of my blood in frank mariage. And by vertue of these words theye shall haue the lande to them & to theire heires of their body, which is an especiall tayle. And I shall doe al seruyces during the same term to the lorde of whom it is. And the husband & his wife shalbe accompted in the first degree, and their issues in the seconde degree, and so forthe. But it is sayd y the dones in frank mariage shall doe fealte to the donour beefore y so were the degree tayll.

Frank almoign is

toute maners tenures.

Frankemariage est, quant ieo done terres a vn home et sa femme q̃ est ma file, ou de mon sank in frank mariage et per vertue de ces patols ils aueront le tẽre a eux et a les heyres de lour deux corps, que est vne especiall tayle, et ieo serra tenus les seruie durant le dit terme a le seignour de q̃ ceo, et le baron et la feme serrõt accompts en le primer degree, et lour issues in le second degree, et issint puster, mes il est dit que les dones in frank mariage serrõt fealtie a le donour deuãt le quart degree soit passe.

Frank almoigne est

lo q̃ in auncient temps
ter res fuerõt dones a vn
abb. & son couent, ou a
vn dean & le Chapit̃,
& a lour successours in
pure & perpetuall al-
moyne, sanns expresse
ascũ seruice certain ceo
est frank almoyne, &
ils sont tenus denaunt
dieu de faire orasons et
praiers pur lame le don
nor & ses heyres et pur
ceo ils ne ferrõt fealtye
et si tiels q̃ont terres in
frank almoyne ne sont
a cunp aers ne deuine
seruice pur les almes le
donur ils ne serront
les donours a ceo com-
pelles, mes pur ceo ils
poyent complayne al or-
dinar les luy prayant
que tyel negligence ne
soy: pluis auant, &
lordinaryt de doyt ceo

where in auncient tymes
landors were geeuen to
an Abbotte and his con-
uent, or to a Dean and
the Chapitter, and to
thoyre successoures, in
pure and perpetuall
almes, without ex-
pressynge anye seruyce
certaine this is frannke
almoygne, and suche
are bounde beefore god
too make orasons and
prayers for the soule
of the donoure and hys
heyres, & for that they
do no fealtie, and
suche that haue landes
in frank almoigne de
mande noe prayer nor
deuyne seruyce for the
soules of the donoures,
they shal not be cõpel-
led by the donoures so
do it, but for that they
may complayne to the
Ordinarye prayenge
him that suche negly-
gence be no more al-

ter,

tenure, and the Dominary
or tyge ought to doe it
for yf an Abbotte et.
holdeth landes of hys
lorde for certayne de
uine seruyce to be done
as to singe euery day
a masse, or to doo
some other thing, yf such
deuyne seruice bee not
done, the lorde may dy
strayn, and in such case
yf Abbot ought to doe
fealtie to ye lorde, and
therefore it is not say
tenure in frauncke al
moygne, butte tenure
by deuine seruyce, for
noneta n hold by franke
almoigne, yf anye cer
tain seruice be expresse
Also if an Abbot that
holdeth of hys lorde in
franke almoygne, alye
nes the lande to a se
culer manne et in this
case the seculer manne
shal do fealtie to ye lorde
ons

doyt fayre. Mes si vne
abb. et c. tient terres de
son seignioure pur cer
tein deuine seruice de
estre fayt, come de chau
ter chesem vendre die
vn masse, ou de fayre
auter chose certayne,
si tyell deuyne seruice
ne soyt fayt, le seygny
our puit distreyner. et
in tiel case labbe doyt
fayre a le seygniour, fe
altie, et pur ceo il nest
pas dit tenure infranke
almoygne, mes tenure
per deuine seruice, car
null puit tener in franke
almoigne si soit expresse
a cum certaine seruice.
Auxi si vn abb. q̃ tient
de son seignior in franke
almoigne, alienna vne
seculer le terre et c. in
ceo case le seculer ferra
fealtie a le seygniour.

Auxi, si hõe a celiour graunt terre a vn abbe en frank almoigne, les parols (frank almoin) sount voydes par lestatute Quia emptores & que nulle ne puyt graunt terres in fee, a tenir de luy mesme, mes le roy puyt doner a celiour terres in frank almoyne, & nulle ne puyt tener terres in frãk almoyne dauter donour, mes p tytle de prescripcion, & le donour q̃ est son seignour est tenus de luy acquit e chescun mancr. seruice de ascun seignior par a mont, & si il ne acquite, mes luy suffer deste distreyn, il auera vers son seignour vne briefe de Mesne, & recouera vers luy ses costes et ses

Also yf a man graunte land at thys day to an Abbot in frauncke almoygn, these wordes (frank almoygne) are voyde bye the statute Quia emptores &c. that no man maye graunte lande in fee to holde of hymselfe. But yf kyng maye geeue landes at thys days in franke almoygne, & none maye hold land in franke almoygne of anye other donour but by tytle of prescription, and the donoure whyche is his Lorde, is bounde to acquyte hym of enerye kynde of seruyce of anye Lorde aboue. And if he do not acquit him, but suffer him to be distrained, he shal haue a writ of Mesne against his lord, & recouer gainst him bys costes and

and damages.

Formedone is a writte and it lieth be where the tenaunte in the tayle enfeoffeth a straunger and dyethe, the heire shall haue a writte of formedone to recouer the lande, but there bee three maner of formedones. One is in the discender and that is in the case beefore sayde. Also if one geue landes in the taile, and for defaute of issue the remainder too another in the taile and that for defaute of such issue the lande shall reuert too ye donour, if the first tenaunt in tayle dye with out issue bee in the remainder shall haue a formedon in the remainder, but if the tenaunt in the taile dye withe issue bee ye remainder also dye withe out issue

damages.

Formedon est vn briefe et gist lou tenaunt in le taile infeffa vn estrange et deuye, le heire auera briefe de formedone pur recouer la terre, mes sont trois briefs de formedons, vn est in le discender et ce est in la case auant dit. Auxi si vn done terre in le taile et pur defaut dissue le remainder a vne auter in la taile et que pur defaut de tiel issue la terre reuertera al donour si le primer tenaunt in le taile deuie sauns issue cest ou le remainder auera vne briefe de formedon in le remainder, mes si le tenaunt in le tail deuye sauns issue et cest ou le remainder auxy deuie sauns issue donques

le donour ou ces heires
aurra vn formedone in
le reuerter.

Forger de faux faits est
vn briefe et gist lou vn
forge vn faux fait et
le face publier pur trou-
ble la droit possessiō et
title dascun home don-
ques le parte greue aue
ra cest briefe et recoue-
ra ces damages et la
deff. serra fyne all
roy.

Fealtie serra fait in ti-
el maner. le ten. tien-
dra sa maine dexter sur
vn liuer et dire a ons
seignior ieo a vous ser
ra foyal et loyal, et foy
vous porterai des tene
mentes que ieo claime
de tener de vous, et lo-
yall vous serral s cus-

hā ꝑ donour or his hei
res shal haue a formod
in the reuerter.

Forger of fals deedes
is a writte and it lyeth
where one forgeth a
fals deede & maketh it
to bee published for to
trouble the righte pos
session & tytle of anyo
manne, then the parte
greued shall haue this
writte & shall recouer
damages & the defēdāt
shal make fyne to the
kinge.

Fealtye shalbe don
in such a manner that
is to saye the tenaunt
shall holde hys ryghte
hand vppon a booke &
shall saye to hys lorde
I shalbee to you faith
full & true, I shall bee
to you faithfull for lande
& tenemēts whiche I
claim to holde of you
truly shal doe to you

cus

customes and services that I ought to doe to you at the termes assigned, as so helpe me god and all saynctes, & shall kysse the bookes, but hee shal not kneele as in voynge homage and thereof looke after in the title homage sise fealtie is incident to al maner tenures.

Felonye is when a man wythout anye colour of the lawe taketh a way p̃iuilye ye goodes of another to thentent that his dede shoulde not bee known amountynge to ye value of. xii. d. or more but if one comes nye to the persone of another and robbeth hyme of his goods, al thoughe they be but to the value of a peny it is felonye ye is called robbery

customes & services fai: e vous doy al termes assignes si come moi eid dew & ses jeunes, & baseral la liner, mes il ne genuiler a come il ferront homage et de ceo vide apres in la title homage. Auxi fealtie est incident a toutes maners tenures.

Felonye est quant home aunts a ceux colour delay cubloy priuement les biens vn auter al entent que son fait ne serait conus amountaunt al value de. xii. d. ou plus mes si vn approcha ale person vn auter et luy robba de ses biens mesque ils ne sount forsque all valewe de vn denier il est felonye & ceo appell robberie

et

& par ceo il serra pēdu
A uxi rape est felony et
ceo est quant vn ra-
uisshe et desvile a sun
femme encontre son a-
grement demesne.

Fieri facias est vn brief
iudicial et gist la ou hōme
recouer des on damages
in court le roy donques
il auera cest briefe all
vicount luy commaun-
dant que il luy le det
et le dammages des bi-
ens celuy que ad perdu
& gist touts fois deins
lan et iour et apres lan
luy consient de suer vn
scire facias et si luy faye
garnesture vient all
iour et ceo il vient et
ne saue rien dire, don
ques celuy que recouer
a auera briefe de fieri
facias direct al vicōt

and so that he shall bee
hanged. Also rape is fe
lony. And that is when
one rauisheth be or deb
leth any woma against
her owne will.

Fieri facias is a writte
iuridicall and it lyeth
where a man recouer
re the dette or damages
in the kynges courte
then he shall haue this
writte to the sherffe cō
maunding him that he
leuy the det & damages
of the goods of hi that
hath lost, and it lieth
always within a yere
& a day & after the yeare
he must sue a Scire fa
cias and if hee be warn
ned & doth not come at
ye day &c. or if hee come
and can saye nothinge
then hee whyche recou
ered the shall haue a
writ of fieri facias di
rected to the sherffe

that

that he make him home
execution of judgement
that he a man recouer
against a woman also
he may take a voluntary
in the peace & p bill the
recouer shall recouer
may take a scire facias
against the husband
for as if a man of relig-
ion recouer and dieth
without issue your tenant
the peace that gave a
scire facias.
Here of p mose in p ty-
tle scire facias and tit
execution.
Garde is when anye
infante whose auncestor
holdeth of a lorde
by knightes service
wardes of the
lande. Also there bee
diuers writtes of war-
ne, one is a writte of
right of warde & that
lyeth where the tenant
dieth his heire within
age, & a straunger en-
treth

que il sera lay auer ex-
ecuter de iudgement ains
si home recouera vers
vn feme ore le pres la
roy deins la & le tenant
dunque si le baron que
cest y que recouera dun-
ra scire facias vers le
baron. Auxi est si home
de religion recouer et de
nie son successour deins
lan ancra scire facias.
Vide de ceo plus in la
title scire facias & ty-
tle execution.

Garde est quant a ceux
infant que auncestour
tient de son seignour p
service de chiualer est
in la garde son seignior.
Auxi sont diuers briefs
de garde, vn est briefe
de droit de garde et est
lou le tenant deuie son
heire deins age & vn
estraunge entra in le
terre

terre ad, ly ppe le garde
de corps del enfant, ly i-
ese de ceestment de gard
gist lou bone est auxi
de la gard de la terre sed
le corps de lenfant, ly i-
ese de rauishement de
gard de gist lou le corps
est prise de ley solement
ensuient la terre. Auxi
si un tenant tient de di
uers seignours diuerse
terres, celuy seignour
de que il tient per p̃ y-
uetie. s. per plus auun-
cien tenure auera la gar
de del enfant, mes si un
tenure seit auxi auncie
que lauter donques ce-
luy que primers happa
le garde del corps auer-
a le garde de cea, mes
in ceu case chescũ seign
auera le garde del terre
q̃ ē ten' de luy, mes si un
siet de rey ĩ chise donq

enterith into the land
happeth to haue the
warde of the body of the
infante, but if one ten-
ure hath other the ward
of the land and one
body of the infant a mai
put out of the
ward of the land and one
body of the infant a mai
of rauishement of ward
hath taken the body
taken from him only
not the lande, also if
a tenant holde of di-
uers lordes diuers la-
des the lorde of whom
land is holden by pri-
oritie that is to say
more elder tenure shal
haue the warde of the
infante, but if one te-
nure be as old as ano-
ther then they that first
peth to haue the ward
the body shal haue the ward
he thereof, but in that
case euy lord shal haue
the ward of the lande
holden of him, but if
tenant holde of the lord

in chief that ye vtlange bye
the progarte shall haue
warde of ye bodye of al
ye tãd ye is hold of the
kyng or of ouer lorde
by reason of charters
in writte and in ye be
where auy tende is ma
de cõprehendeth a clau
se of warrantie ye is to
say dedi or cõcessi or this
word warrãtizabo e yf
the tenãt bee impleded
by a straunger it shall be in
assise or such acte wher
he may not vouche to
warãty the he shal ha
ve his writ against hys
lord or his heires ye
the land bee recouered a
gainst him he shal recou
ver as moch land in ba
lue against him ye mad
the warranty but thys
writ ought to bee sued
kynging the first e writ
against hym or elsye
he bee lost hys aduann
tage. Also vppon a

*le roy per sa prerogatiue
auera le garde de corps
& de tout le terre qest
tenus de roye vt de chef
tun auer seignour.*

*Garrantie des charters
est vn brief & gist ou al
cun fait que cõprehend
clause de garrants. dedi
ou concessi ou cest parol
warrantizabo et le te
nant soit impled per vn
estrange sa force vn assise
an tiel accte ou il ne pu
it vouch garrãt, dõcq
il auer cest briefe vers
sa seffour ou son heire et
si tenes soit reconer vers
luy il reconera taunt
de terre in value vers
cest que suist le garr.
mes cest brief secourãt ẽ
sue pendant : le primer
briefe vers luy ou au
terment il ad perde son
auantage. Auxi sur*

garrant en ley come sur homage auncestriell ou rent reso ne sur lesse a terme de vie ou en le tail le home auera brief de garr. de charter mes ne mys sur eschaunge.

Garrantie est in vi. maners s garrantie liniall & garrantie collateral. Garrantie liniall est lou home seisie in fee fait feffement per sō fait, a vn auter et obligeluy et ses heires a garrant et ad issue fits & murrust et le garrantie descend a son fits, ceo est liniyal garrantie pur ceo que si nulli fait ouie garrantie yst este fait donques le droit des terres descenderoit all fits et il conueieroit le discent de le pier a le

a warrant in ye law as upon homage auncestrel or rent reserued upon a lease for term of life or if ye tail a man shal haue a writte of warrantie of charter but not upon eschaunge.

Garrantie is in two maners that is to say garrantye liniall and garrantie collateral. Garrantye liniyall is where a man fayed a fee make the a feofment by his dede to another & bindethe hym and his heire to warrantie and hath issue a sonne & dyethe and the warrantie descendethe to his sonne ye is liniyall warrantie for ye if no dede wi warrant had be made, the hath got of the lande should haue discended to the sōne, & he should conueye ye discent frō ye father

ther to the sonne, but if the tenaunte in the tayle discontinue the tayle, hathe issue and dyeth, and the vncle of the issue releasethe to the discontinue w̄ warrantie, et, and dyethe without issue, that is collateral warrantie to the issue in the tayle, for that, that warrantie descendethe from the issue, which may not conueye hym to the tayle bye meane of his vncle, & in euery case where a manne warrantethe landes in fee tayle bye writte of Formedone, if anye of the issue in the tayle which hath possession, or which hathe not possession maketh a warrantie, and dye that issue the vncle of the issue may by possibilitie by matter, & maye

fits, mes si tenaūt in le tayle discontinua la taile, & lissue et deuie, & luncle del issue relesse al dyscontinue ove garrant &c. et morust saunsissue, ceo est collateral garrantie al issue in le taile, pur ceo q le garrantie descend sur lissue, le q̄l ne poyt soy conueyer a le tayle p la meane de son vncle. Et en chescun case ou home demaunda terres in fee tayle p briefe de Formedone, si a scun del issue in le tayle q̄ auoit possession, ou q̄ nauoyt possession fait vn garr. & cessy q̄ sua le briefe de Formedone puis per possibilitie p matter q̄ puis poyt este in fayt conueyer a luy title p force d'il dont p celuy q̄ fuit

le garrantie &c. ceo est donques vn lineal garrantie, & per tiel lineall garrantie, lyssue in le tayle ne serra barre, mes si non que il ad assets a luy descēd. in fee simple mes si il ne puyt p null possibilitie que pu it este, conuayer a luy title per force del doē p celuy qui fist le garrantie, donq ceo est vn collaterall garrantie, & per tiel collaterall garrantie lissue in le tayle serra barre sauns ascun assets. Et le cause que tiel collaterall garrantie est barre al issue in le tayle, est pour ceo que toutes garranties deuaunt lestatute de Glouceſtre, queux descendaunt a ceux sont heyres a ceux que be in the nede cheuy to him title by force of the gift by him y made the warrantie &c. that is than a lineall warrantie, & by suche a lyneal warratie, the issue in tayle shall not bee barred, ercepte y hee hath assets to him descended in fee simple. But if he may not by nos possibilitie y may bee, conueys to him title by force of y gift by him y made the warrantie then that is a collateral warranty, & by such a collateral warranty y issue in the tayle shall be barred without any assets. & no the cause such a collaterall warrantye is a barre to the issue in the tayle is, to that y all warranties before the statute of Glouceſtre whych descended to the whiche bee

abbotiers to them that
ought the warranties
were barres to the
tenant heirs to demaund
any landes except the
warrantie that begun
by disseisin, and for
the sayde statute hath
ordeined, that the war-
rantie of the father
shalbe no barre to his
sonne for the landes
which come of the he-
ritage of the mother,
and the warrantie of
the mother shalbe no
barre to the sonne for
the landes which come
of the heritage of the
father, and the statute
hath not made nor or-
deined remedye a-
gainste the warranti-
e that is collaterall
to the issue in the tayle
therefore the warranti
that is collateral to the
issue in the tayle, is per

fueyent les garranties
fueruntbarres a me-
me les heyres a demaũ
der ascuns terres forsq
que prise les garran-
ties que commense per
disseysin, & pour ceo q̃
le dyt estatute ad or-
dainé que le garrantie
le pere ne serra barre a
son fils pour les terres
que veygne del heryt-
age le mere, ne gar-
rantie le mere ne serra
barre al fils pour les ter
res que veigne del he-
ritage le pere, & lestat-
ute nad fait ne ordein
remedye incountre le
garrantie que est colla
terall al issue in le
tayle, & pur ceo le garr-
antie qest collateral al
issue in le tayle, uncore
estan sa force & serra

barr

barre al issue in le taile
come il fust deuant le
statute. Auxi il conisi
que toutes garrãties
que a ascun heyre serra
barre, que le garrantie
descend per cours del
commen ley a celui que
est heyre. Auxi si ascun
garren. autrement il
ne serra barre, cause le
tenaunt in le tayle des
terres in bowe english
dou le puisne fits inhe
rite a la custome, dis
continua le tayle & ad
issue deux fitz, ce lun
releas al discõtinuee
ou garrãtie & deuie,
& le puisne fits porse
Formedone, uncore il
ne serra barre per sycel
garrantie, causa qua
supra. Auxi si ascun
home fayt ascun fayt
ou garrantie, per quel

in his force, & shalbee a
barre to the issue in the
taile as it was before
the statute. Also it hap
pen that al warrãties
where bye anye heyre
shalbe barred, that the
warrantie descend bye
the course of the comen
law, to him which is
heire to hym that made
the warrantie, or else
it shalbee no barre, for
if the tenaunt in the tail
of landes in bowe
englishe, where the yo
gest sonne shall inhe
rite bye the custome dis
continuethe the taile
hath issue. ii. sonnes, if
the uncle releasethe to
the discontynue with the
warrantie, and dyethe,
and the ponger sonne
bryngethe a Former
done yet hee shall not
be barred by such war
ranty, causa qua supra.
Also if anye man make

anye

any beue with warrantie whereby hys heyre should be barred, & after bee ꝑ made the warrantie be attaint of felonye, than hys heyre shall not be barred vpe suche warrantie, for ꝑ that suche warrauntye might not descend vpon him for that ꝑ the vnderstandinge. As hys sonne pourchase landes and after let the landes to hys father for terme of yeres, and the father by his deede infeoffeth a straunger, whiche to him and hys heyre vp warrauntie, & the father dieth inherit hys warrantie descendeth to the sonne, yet hys warrauntye shall not barre the sonne, but the sonne maye well enter notwithstandyng hys warrauntie, for ꝑ that hys warranty be

son heyre serroyt barre & puis cest que fist le garrantie soyt attaynt de felonye, donques son heyre ne serra barre ꝑ tiel garrantie, pur ceo q̃ tiel garrant ne puit discender sur luy, pur ceo que le sauk est corrupt. Auxi si le fis purchase terre, & puis lessa le terre a son pier pur terme dans & le pier per son fayt de ceo enfeoffa vne estrange, & obliga luy et ses heyres a garrant, & le pier deuie, per q̃l le garrant discende al fits, vncore cest garrant ne barra ly le fits, mes le fits bien puyt entre nient obstant cel garr. pur ceo q̃ cest garrantie commenca per disseysin, quant le pier fist le feoffement que fuit vne

disseisyn al fits, & cõe
se dit de pier, issint
puis este dit de chescun
auter auncestour. Et
mesme le ley est, si te-
naunt per Elegit, ou
per statute merchaunt
fayt a cun feoffement
que garãtie, tels gar-
ranties ne serront bar-
res pur ceo que ils com-
mensont per disseison.

Gager de deliuerance
est lour ren sua replenin
des biens prise, mes il
nad deliuere des biens
& lauter auowa, & le
pleyntif a monstre que le
defend. est vncore seisy
& cet pria que le defen
dant gagera deliuerãce
doques il mettera cins
suertia ou pledge pour
rendre deliuerance, & bri-
ce issera al pieou pur

gan bre disseisin when
the fatherr made the fe-
offement which was a
disseisin to ỳ sone, as
it is saide of the fatherr,
so it may be said of eue
rye other auncestour.
And the sãe lawe is, if
tenaunt by Elegit, or
by statute marchaunt
make a feoffement in
warrantie, suche war-
rantise shalle na bar
ris because they begin
by disseisin.

Gager de deliuerance
is, where one hathe a
replenin of goodes ta
ken but bee hathe no
the deliuerye of ỳ goods
& the other auowethe
the pr thewieth that the
defendant is yet seised & aske
praie for ỳ the defendant shall
gage the deliuerance
that he shal put in surte
tie or pledges for the
deliuerance, & a writ

shall

shall go forth to the sheriffe for to redeliuer the goodes &c. but yf a man claime propertye he shall not gage the deliuerance. Also if bee say that the beastes bee dead in the pounde, he shall not gage &c. Also a man shall neuer gage the deliuerance before that theye bee at issue, or demurrer in plaine sayt is saide.

Garnishment is, yf action of detinue of charters be brought against one, & he det. saith that the charters were deliuered to him by the pl. and he another opponeth certaine condicions, & prayeth the other may be warned to plede wythe the pl. if the condicions be perfourmed or noe, whereupon a writte of scire facias shall goe

redeliuer &c. mes si home claime propriete, il ne gagera delyueraunce. auxi si il dit q̃ les auers sont mort en poũd, il ne gagera &c. Auxi home ne gagera iammais le deliuerãce auant que ils soient a issue ou demurrer a ley vt dicitur.

Garnishment est, si come vn actiõ de detinue des charters est porte vers vne, & le defend. dyt q̃ les charters, fueront deliuer a luy per le playntife & per vn auter sur certayne condicions, et preye que lauter soyt garny de pleder oue le pl. si les condicions sont perimples ou nemy, & sur ceo vne briefe de scire facias yssera

vers luy, & ceo est appell vn Garnishment.

Graund Cape, vide de ceo apres titulo Petit Cape.

Graund serieauntie est lou vn homme tient de roy certein terres per le seruice de porter son bāner ou launce, ou amesner son hoste, ou destre son carver ou buteler a son coronement, & tiels semblables, & ceo est la plus honorable seruice & plus digne, q̄ le tenaunt puit faire & pour ceo est appelle Graund seriaūtie, mes Petie serieauntie est, quaunt vn tient de roy luy rendant annuelment vn arke, vn coteau, vn launce, & tiels semblia

forth against the hime is called Garnishment.

Graund Cape lou therefore after in the title Petit Cape.

Graund serieauntie is, where a manne holdeth of the kynge certaine lande by the seruice of carienge his banner or launce, or to lead the hoste, or to be his carver or butler at his coronacion, and this is the moste honorable seruice & most worthy the a tenaunt may do, and for that it is called Graund serieauntie. But peti serieauntye is when one holdeth of the kinge, paynge to hym yerely a bowe, a knife or speare, and such lyke, and that is but socage in effecte, but man

man cannot holde in
graunde serieauntie or
by pety serieauntie but
of the kynge. Also yf a
tenaunte bye graunde
serieauntye dyethe his
heire beinge of full age
the heir shal pay to the
king for relefe the va-
lue of the landes over
the charges that he pa-
yethe to the kinge bye
graunde serieauntye,
but hee that holdethe
by cornage shall doise
for his relefe duere C.
marcs those that be in
the marches of Scot-
lande that holdethe of
the kinge bye cornage
that is, to blowe a
horne when the Scot
es entre into Englande,
are tenantes in graunde
serieauntie. Also wher
a man holdethe of the
kinge fal to finde a man
in the warres within
the realme that is cal-
bles, et ceo nest forsque
socage in effect mes hee
ne puit tener in graund
serieantie ne par petyte
serieantie sinon de roy.
Auxi si tenãt per grã-
unde serieantie morist
son heire desteant de
plaine age, leire paiera
al roy pur relefe le va-
lue des terres ouster les
charges que et pay al
roy par graunt serieau-
tie, mes cely que tient
par cornage paiera pur
son relefe forsq. C.s.
Auxi ceux q̃ sont in le
marches de scotland q̃ ti
nent de roy p̃ cornage.
pur sonner vn corne
quãt les scotes entre en
gleterre sont tenants p̃ gra
unt serieantie. Auxi
si vn hoem de roi pur
trouer vn hõme in la guer
re deins la realme ce est
dis

dit grand de seriaunte,
pur ceo que il est fait p
corps d'un home, et si le
tenant ne puit trouer
home de faire ceo, donq
il est tenus de faire luy
m. Et quelcient p graūt
seriant tiennent per ser-
uice de chiualerie et le
roy auera garde de mary-
age et relefs mes nemy
ceux que tiennent p petite
seriaunte mes le roy ma
uera de ceux q̄ tiennent per
grand seriaunty eschuage
si lorque ils viennent per
eschuage sicomme q̄ tiē
p grand sergeantie ou
eschuage tiēnent p serme de
chiualerie mes p puis ce
nemy p grand sergeantie
et nemy per eschuage &
p eschuage et nemy p gra
nd seriaunte mes ceō ē
eschuage nō certain est le
seruice de chiualerie ou
ies fois treit a luy gard

led grand seriaunty
so that p it is nouuby
a mannes body. And if
y tenant cannot fynde
a man to do it then he
is bound to do it hym
selfe. And he p holdeth
by grand seriaunty
holdeth by knightes
seruice, and the kyng
shal haue warde mar
age & relefe, but not of
them p holdeth bre pe
tit seriaunty, but the
kyng shal not haue of
them p hold by grand
seriaunty eschuage, mes
p they hold by eschuage
so they hold by grand
seruice, but one shall
hold in grand seriaunty
and eschuage & by es
cuage not in grand se
riaunte, but is eschuage
not certain. Knightes
seruice always pertay
neth to hi ward mariage

and reliefe.

Habere facias seisinã is a writte iudicial, and issueth where one hath recouered certain landes in the kings court the he shal haue the writte directed to y shriffe commaunding him to geeue him seisin of the lande and it shal not be returnable.

Homage auncestrell is when a man and his auncestours of ryme and of time hyd holde their landes of their lorde bye homage. And whiche lorde hathe receued homage hee is bounde to acquite the tenaunt against all other lordes aboue hym in eyerye maunner seruice. And if the tenant hathe doone homage vnto his lorde and he contradeed and vou-

mariage et reliefe.

Habere facias seisynam est vn briefe iudiciall et gist lou vn ad recouer certaine terres in court le roy donques si auera cest briefe direct al vic. luy commaundant de doner a luy seisin de terre, et ne sera retournable.

Homage auncestrell est lou vn home et ses auncestours de temps dount memorie ne courge, ont tenus la terre del seignour per homage, & si issel seignour ad rescew homage il est tenus de acquiter le tenant vers toutes auters seignours paramount (si) de chesun manor seruice. Et si le tenant ad fay homage vn son seignour et soit emplede &

vou-

vouch le ſeignour a garrant, le ſeignour eſt tenus de luy garranter, et ſi le tenant perde il recouera in value vers ſo ſeignour tant des terres que il auoit al temps de le voucher ou vnques puis mes ſi le ſeignoure auoit reſceue le homage de ſon tenaunt donq ſi il vouche le ſeignour que diſclaim doques ſo ſeignioure ſerra exict et le tenaunt tendra de ſeignour procheine paramount, mes vn able qe tiel ſeignour ne puyt diſclaime, meſque que il nad reſceu le homage de ſon tenaunt. Auxy ſi home quelisens ſa terre p homage auncestrel alien le terre in fee, doques la alienee ert a homage a ſon ſeignor, mes

bouche the lorde to warrant, the lorde is bound to warrant him and if the tenaunt loose he shall recouer the value against the lorde of the lande he had at the time he vouch ozanye time after, butte if the lorde bathe not receiued homage of his tenaunt then if hee bouche the lorde that disclaime then his lordeship shall be extincte, and the tenaunt shall hold of a lorde next above, but an lorde which is such lorde cannot disclaime the lord shall bathe bathe not receiued homage of his tenaunt. Also if man p holdeth his land by homage auncestrel alien the lande in fee then the alienee shall do homage to his lorde but hee shall not do

homage auncestrell
that the continu-
ance of the tenaunce
the blood of the first
tenant is discontinued.
also if a man holdethe
homage bee homa-
ge bys lorde & after
lorde dieth, or graun
bys seruyce to an
other, then the tenaunt
hee noe more ho-
mage to the lonne of
lorde nor to ye gran
butte he ought to
fealtie, for that is
ment to euerye ser-
Also if suche a te-
nante hathe done ho-
mage and the lorde ys
impleded of bys seyg-
nurie, and leasethe it
then the tenaunte shal
compelled once a-
gayne to bee homage
man that recouereth
that ye the estate of
whiche received ye
homage is defeated

il ne tiēd ia per homage
auncestrel pour ceo que
le continuaunce del te
nancie in le sank le p
mer tenant est disconti
nue. Auxi si home qui
ent per homage fait ho-
mage a son seignour & c
puis le seignour deuie,
ou graut son seruice a un
auter dāg le tenant ne
serra homage auter foits
a le fits le seignor ne al
le graunt, mes il conuēt
de faire fealtie car il ē
incidēt a chescun seruic.
Auxi si tiel tenant fait
homage & le seignior ē
implede de son seignouri
et pau dong le tenaūt
serra compell de fair ho
mage auterfoits et ecstin
que recouer pur ceo que
le state cestuy que resceue
it le primer homage est
desete.

Homage serra fait in tiel manier. s. le tenaunt in fee simple ou fe taile que tient per homage ge nuiera sur ambi deux genus, et le seignioure serra et tiendra les mains son tenaunt inter ces maines, et le tenaunt dirr. Ieo deueig n̄ vostre home de cest iour auant de vie et de meber et de terrane honor et a vous serra foial et loial et foi vous porterа des terres que ieo claime te nure de vous saluee le foy que ieo doy a nostre seignioure le roy, et dons ques le seignioure issint seant luy basera, mes comment fealtie serra fait vide deuaunt in fealtie et le seneschal le seignioure puit prender fealtie mes nemy homage

Homage shall be made in such the manner, that is to say the tenant in fee simple or fee tail that holdeth by homage shal unele both his knees, and lorde shall sit and holde the handes his tenaunt betwene his handes, and the tenant shal say, I become your manrede and of life and meber and of earthly honour, and to you shall be faithful and trewe and beare to you fayth of the landes that I claime to holde of you, saluing the faithe that I owe to our lorde the kyng, and thanne the lorde sitting shall kysse him but how we fealtye shall be done looke before fealtie, and the seneschal the lorde may take fealtie but not homage.

Iointenauntes bee
where .ii. men come to
purchases and tene-
mentes bye one iopnte
title as yf a man geue
lande to .ii. men & too
their heires butte te-
nauntes in commen be
where .ii. men haue la-
nes by seuerall titles &
none of the knowethe
title of his seueral as yt
shall be said after & note
that if there be .ii. or .iii.
iointenants & one hath
bye and bye the, tha he
whose iointenants
that ouer liue shall
have the hole, bye the
survivoure, butte if .ii.
iointenants make par-
tition betweene them
bye bye agrement,
then theye bee seuerall
tenants but if one ioin
tenant graut that ye bee
ioined to hit to a straun
ger tha the other iointe
nant & ye strange bee ten

Iointenauntes sonnt lou
deux homs sviens a ef-
cun terres ou tenemen
per un ioint title, com se
home done terre a deux
homes et lour heirs, mes
tenaunces in commen sol
lou deux homes oun ter
res per seuerall title &
nul deux sunoy de son
seueral tenure a dit a
pres, et nota si sonnt .ii.
ou .iii. iointenants et vn
ad issue et dieu donqs
cest, ou ceux iointen q
survie esque auera tenu
ere de le sid tenure, mes
si .ii. iointenants fait
particion entre eux per fait
p agrement, donq ils sonnt
seueral tenantes, mes si
vn iointenant graunte
ceo que a luy appert a vn
estraunger donques
lauter iointenaunte et
lestraunge sont tenants en
com.e

ascuen. et mesque. ii. tenantes en comen soun
seisie per my et per tout
et mult en ust son seue-
ral. unquore si vn deuy
lauer. mette a lentierty
per sommister ones so he-
ine auera la moitie set a
sint si sons. iii. iointe
naunts et vn de eux fa
yt fessement de ceo part
a vn auter et le fessee de
uye donques son heire
auera le tierce parte &
les auters. ii. sount ioin
tenaunes come ils fue-
runt pur ceo que eux
sount seisie per vn ioint
title auxi si terre soyt
done al baron et sa fem
et le baron alien et de
ay le femme recouera
lentiertie mes si ils fu
erunt iointenaunes de
maunt le couerture do
ques en tiel case et reco

in commen. & though
ii. tenauntes in comm
be seised by parte &
the hole and mone
wethe hys seuerall
if one hys ꝓ other
not haue the
hys the survivour
his heire shall haue
halfe, and so if ther
iii. iointenantes &
of them maketh feof
mente of his parte
nother and the feof
hyethe than hys hei
shal haue ꝓ thyed pa
and the other twoe
iointenaunts as the
were because ꝓ they
be seised by a iointe
tie. Also if landen
geuen to the barron
to his wife & the hu
band alyenethe hyet
the wife shall recouer
the whole, but if ther
were iopntenaunt
before the couertur
given in suche case shal

shall

[illegible] but the
[illegible] if lande be
[illegible] the husbande
[illegible] a thinge
[illegible] grant
[illegible] be sogetbe to
[illegible] the one halfe pas-
[illegible] by the graunt, for
[illegible] hath the baron &
[illegible] bee bilte one
person in the lawe, and
in this case theye haue
[illegible] but
[illegible] if bee
[illegible] but villan
[illegible] in a tenure ioyncte
[illegible] englishe,
[illegible] land ye deuise
[illegible] bee ruled
[illegible] q. if bee
[illegible] a tenure
[illegible] this deuise
[illegible] the other
[illegible] the villeine
[illegible] for that
[illegible] graunte, potaille
[illegible] q. death
[illegible] after the death

[illegible] forsque le moyte.
[illegible] si la terre fuy donc
al baron & sa feme, &
al tierce, si le tierce
graunte ceo que a luy
affeert, la moyte passa
per ad graunt, par ceo
que le baron & la feme
sont forsq. vn person in
le ley, & in cest case ils
nount in droit forsq. le
moitie. Auxi si deux
tyns villeines sount des
terres en ville q. est bo
rough englishe, lour terre
est devisable, et lun
per son testament de-
uise ceo q. luy affeera
en estrange, et devise
est devise est vn vide et
luster auera le terre
per survivour, par ceo
que le devise ne poyt
prender effect ang. a
pres le mort le devisor,
et immediate apres sa

mestre de deuisor le chose
ayt demeure et aquitance
tenant pl t sur mi dour
de ql ne clayme riens.
vide dausour, mes en sou
dayt demesne ple sur
mount, mes autrement
est de parceners seysies
des terres demesnables
tanisaqua supra

Indreuit est vn briefe
& gystlon debate est
parentre deux clerkes
en court christien dun
esglise en parcelle me
esglise per dysmes que
appurtent al meyne ale
maise de la quart parte
de esglise & pour
ceo que le patrone del
clerke offendant per
dra son advowson si le
clerke de pleintife la
recouera, dauantage il a

of the deuise, the right
commeth to the
maintenance
which the
thing by the deuise
but in by a lease
by the surrendre
other wise
ceners seysed of lands
deuisable, tanquam
supra.

Indreuit is a briefe
where debate
is between clerkes
in court christian of an
church or parte of a
church, the tithes
which appertaine
the lease to the
of the fower the parte
the church, & further
the patron of the church
of the clerk shall lose his
advowson if the clerke
the plaintife shall re
cover it, he shall have
writte directed to the
clerke of the pleynt, or

the officers of the court
[illegible]
[illegible] court
[illegible] court
[illegible] court
[illegible] court
[illegible] belongeth and the
[illegible] shall be bethereof
[illegible] personal it shall
[illegible] patrons, & it shall be
clerkes, but this writ
[illegible] retornable, but
[illegible] cesse not the par
[illegible] hee shall have an
attachment.

Idempitate nui
[illegible] is a writ, and it
[illegible] where a man
[illegible] a fraudulent
[illegible] accompte, or such
[illegible] writ is brought
[illegible] a man, and an
[illegible] that hatha the
[illegible] name as the de
[illegible] hathe is taken
[illegible] him, then hee shall

uera briefe direct al clerke le pleintife, ou al officers de courte christien, eux comaundant de cesser de lour plee, iesques il est discusse in courte le roy a que la auowson appet, & cest briefe serra inter quatre persones, ii. serront patroni, & ii. clerkes, mes cest briefe nest retornable, mes sils necessont lour suite, il auera vn Attachement.

Idempitate nominis est vn brief, & gist lou brief de det, Couenaunt, Accompte, ou tel semblable briefe est port vers vn home, & vn auter que ad mis le nome come le defendant ad est pris par luy, dongques il auera

cest brief, per quel le vicont fra inquere de-
uant iustice assignes
in mesme le countie si
soit mise per son ou ne-
my, & si ne soit trouue
coupable, donques il
aler sans iour in peace

Ley est, quant action
est port vers vn sans es-
pecialtie mesme ou au-
ter matter de record
come action de det sur
vn contract ou detinue,
dong le defendant puit
gage sa ley si il voile. s.
de tuer sur vn liuer &
certayne persons ou esq.
luy que il doit riens al
playntife in le manier
& forme come il ad
declare, mes in action
de det sur vn lesse put
terme dans, ou sur ar-
rerages de accompt de-

uant iustice assignes
in mesme le countie si
soit mise per son ou ne-
my, & si ne soit trouue
coupable, donques il
aler sans iour in peace

Ley es when an
or is prouoyd against
one without especi
tie shewed, or other
matter of record,
an action of det upon
contracte or detinue
then if det. wage
his fawe, that is to
to swear vpon a book
certain persons in
ley, if det. ne doe
riens to the playntif
in manier & forme
he hath declared, but
in an action of det
a lease for terme of
arrs, or upon the a

auant auditoure assigne, hoc est gager la
ley. Mes quant vn gager la ley il ameine
a ous sq. tres xij. xiij. xiiij. de ses vicines, com
le court luy assigne, il
deuer ouesque luy, &
si al iour assigne, il fait
de sa ley, dont il serra
condemne.

Leases sont en diuers
maners. s. pur terme de
vie pur tme dans, pur
terme d'auer vie, & a
volunte. Auxi vn leas
de terre al vauxi bone
sauns fayt come pfayt.
Mes in leas pur terme
de vie ou d'auter vie, il
conient de dones lieu re
& seisin sur le terre, ou
autrement viens passe-
ra per le graunt pur ceo
que ils sauns appelles
franktenements. Auxi

Vnleas de vn comen on
vent, ne poyent esse bon
sans faire mes de vn p-
sonage riche bon sans
faire, pur ceo q' le seruise
qest principall, puis al
feis bien passer sans
fayre, & issint les dys-
mes & offerynges que
sont accessorie al seruise
mes dismes & offerynge
les ployent esse
desses sans faire vi dicit

Libertate probanda

Vide de ceo in le Visile
de Natura habenda.

Matrimonie est quadam
vn hoeste mistery
piar, donq' les tuwes
poyent de bien son corps
a cere, que homes pur
gader & dicery dmes-
ner desraumenez a cer-
tain iour, & ceux sont

they be called seruen
Also a lens, of a co
tenue, maye not
good portpoute be
ing a personage
is good without be
for ever, the chur
without be principal
many parts but pro
without bene, & so
dismes and offerynge
lyke be necessarie
to court, but dismes
offeringes but the
maye not be let wyth
out bene, it is say
Libertate probanda
Lose is, vide the
de Natura habenda
Matrimonie is
man & wife
Capias, then bind
hoeste, mistery
pray, tuwes
poyent de bien
gader & dicery
ner desraumenez
certain iour, &
bene & sont

appelley maintenours, & si le plaintife ne appere al iour assigne, le maintenours serront amercy.

Maintenance est une bersete & gest lou a sen homme donc ou deliuer a vn autre q̃ est pl ou des in a sieu action a sun fiume dargent ou aut chose pur maintenir son plee, ou fait extreme la bour pur luy quasi mi nadriens a ceo affayre, ou ques lauter partie greue, auera vers luy cest oirse.

Bersete est une bersete, & gest lou son seigniour mesme, y tenant, et le seigniour par embrasement instituin le tenant pur les seruice le mesme q̃ luy doit de quel seigni-

ur paramont, donq; le tenant auera cest briefe vers le mesne, & si le mesne vient pur acquiter le tenant, donq; le mesne perd a les seruice le tenant & serra forendge de son seignoury, & le tenant serra tenant immediate al chiefe seignour, & fra ly les seruice & suite: come le mesne fist al seignour.

Monstrauerunt est par briefe, & gest par les tenants in auncien demesne de ceal seignoury, lequel demandant que ils ne distraine son tenant pur ceo que ils ne sont seruice q̃ auncienement sont & als pur ceo que cest brief directement ... ...

hym to the lord, then the tenant shall haue this writ against the mesne, if he come not to acquite the tenant, then the mesne shall lose the seruice of the tenant and shall be forfaiture of his seigniory, & the tenant shall be tenant immediate to the chiefe lorde, and shall doo the same seruice and suite to the mesne, as he did to the lord.

Monstrauerunt est par briefe, & gest par les tenants in auncien demesne de ceal seignoury, lequel demandant que ils ne distraine not son tenant pur ceo que ils ne sont seruice q̃ auncienement sont & als pur ceo que cest brief directement ... ...

or dist, le dits tenaunts
pur faire auer seruice.
Auxi si les tenaunts
ne point este in quiet il
poient auer vn attache
ment vers le seignioure
dapperer deuant les
iustices et soutire les ma-
nors des vnes seruiceus
vis a un le brief mesque
vel de aure fait greue so
lement. Auxi si a cu un
terre in assises demos
ne soit in variance in
ter les parts denque
le tenaunt ssint greue
auera vers lautre briefe
de droit close quod re
cuperet dum in manerio et ech
seruiceum soits parte in
le court la seignioure et
son ceo il ne auera in le
tenure de quel le ne fail
ment mais solement ase gist
et le briefe ne serra ne

non

greate cause do moue
[illegible] of the matter
[illegible] soult the lorde in an
[illegible] ther doure [illegible]
[illegible] bethinke [illegible]
[illegible] tentaunce [illegible] other
[illegible] ser[illegible] he ought not
[illegible] he maie haue no [illegible]
[illegible] of right [illegible]
[illegible] [illegible] [illegible]
[illegible] wilt of right [illegible]
[illegible] the [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible]

[illegible] make a gift to
[illegible] to a term
[illegible] for term
[illegible] in mortgage
[illegible] feoffement be
made in mortgage [illegible]
[illegible] that if the
mortgage such sum
[illegible] day, [illegible]
[illegible] bye before the
[illegible] day he the
[illegible] the feoffoure payd
the same sõme at the
[illegible] day to the feoffee
[illegible] the feoffee refuseth
[illegible] the hope the
feoffour may enter
[illegible] the [illegible] of
[illegible] mortgage payd [illegible]
[illegible] expulsed, [illegible]
[illegible] graunten [illegible] the
[illegible] day [illegible] the
[illegible] the [illegible]
[illegible] be, the [illegible]
[illegible] to [illegible]
[illegible] the [illegible]
[illegible] the feoffour
[illegible] mortgage [illegible]

il puisse faire donc [illegible]
le terre ou lesse pour terme
de vie ou pur terme des
in mortgage [illegible] si
feoffement soit fait en
mortgage sur condicion
que si le feoffour payer
le somme a tel iour [illegible]
Et le feoffee [illegible]
[illegible] iour encore
si le ley le feoffour payer
mesme le somme a mes-
me le iour al feoffee, &
le feoffee ceu refusa donc
ques le ley le feoffour pu
il enter, mes in tel cas
si le feoffee [illegible] pour de
payment [illegible] donc
quel [illegible] [illegible]
[illegible] donque le feoffour [illegible]
[illegible] le temps [illegible]
[illegible] passe, [illegible]
[illegible] le heire de feoffe-
four [illegible]

del

de tendere sans iantz
que ferra inconuenient
[illegible] fee
simple a luy et ses he
ritiers, [illegible] dessesse
lez [illegible] sans [illegible]
[illegible] volunteirs an
ters, mais in le pryuee
ensetlements de tender
ne fuit passe par lauenet
de lessour

Mors il a necessaur
de dire de auant [illegible]
lo ceo [illegible]

Mais ie ne [illegible]
terne [illegible] donas [illegible]
mesme de religion ou
[illegible] compayne
[illegible]
[illegible]
[illegible]
[illegible]

of the tender for euery
which shall be in contra
ritente, that one shal
ue a fee simple to them
and hys heyres [illegible]
shall be defeasible [illegible]
vpon the pleasure [illegible]
[illegible] but
the first case the [illegible]
of tender was not [illegible]
by the death of the [illegible]
[illegible]

[illegible]
[illegible]
[illegible]

que le terre est tenu pur
ie enter come appert en
le statute de religiosis
ideo vide statut. Et auxi
si vn fait feffement sur
confidence a certeine p
sons al oeps de vn mea-
son de religion ou al o-
eps de ascun gilde ou
fraternite corporate o
ques il serra dit mort-
maine & il encourge m
le paine et pais per sta
tutum. anno xvi R. ii.

Mordeata misericor-
dia est vn brieue et ist
ton home est amerced in
court baron ou come
plus que auer este
donques al auera ce bri
fe aireet al vicount si
soit in court ou al bay
lifs si soit en court baro
eux commandant que
il ne luy amerce ouns

mes eirent regarde a
quantite de trespas et
fils ne fount ... et
briefe donques offera
... sicut alias
et causam nobis significa
... apres ceo vn at
tachement

Nacius habendo est vn
briefe et gist lou le nefe
dune seignior est ade de
luy donques le seignour
auera cest briefe direct
al vicount q'il face le
seignour auer son nefe
ou esq tout ces chateux
Auxi en cest briefe plu
sours nefes ne purront
est demande que deux
nefs auxi plusours nefs
q' voilent ensemblement
poirent port briefe de li
berate probanda Auxi
si vn nefe port briefe de
libertate probanda a

thee marrce hym, nat
biere bauinge regard
to the quantite of the
trespas, and if thy
nat, this writ thou
shalt goe forth be
gainst them, as sent
ing ce causam nobis
significes and after
an attachement

Naius habendo
a writte and it lyeth
where the bilaine of
lorde is gon from him
than ye lorde shall have
this writt directed to
the shrifte that hee make
hys lorde to haue all
bylleine with all his
goodes. Also if there
be bylleines vnder
hee demaunded
twaine sont nat
bylleines ne sont
le mayr being a
de libertate probanda
Also if a bylleine
bauinge his writte de
libertate probanda before

that

that the lord king hys
heyre, shall be vnlem
shalbe tryed tyll the
comynge of the Jus-
tices, and the lord hys wyfe
shall not be vp him.
Also if a man by the hayne
of tenant in mannere de
mesne vnto yere and
hayre hys tenant the layne
of the lorde, then he
cannot lesse hym in the
franchises

Also poyne is a writte
to call and to sye the
tenant an inquest is
empanelled and re-
turned before the
Justices in the franche,
where the plaintife or
tenant may have
hys writte directed to
the sherife, thus rum
mynge that he cau
se the iudges of rome
to come the Justices in
the franchise counties

quele seignour part al
brief de quel la nefe
serra in peace iesque al
venir des justice en ay
terme et son brief ne luy
gyde a ceux si ceux vil
lein ad demurre en aue
ci en demesne per vn an
et a iour sans clayme
de seignour de quel il
ne quis luy seiser des
ins le dits franchise.

Nisi prius est vn brief
de iudicial et gist quan
vn lenquest est empanel
et retourne deuant les
justices en banke de vn
quel le plaintif ne sey
auer ce si brief directe
al vicelay commanda
unt que il fa venir la
pays deuant les justi-
ces in mesme le county

Nour venir la destre de
terminer et ceo pur en
ment doynest.

Nunabilisie est lou vn
accion est port vers vn
en le def, dite quod ple
nunabilisie de seruir a
vn accion & sunt vi
cunses de nunabilisie.
home, vilage, vn alyen
nee hors de lege le roy,
vn home condempne en
premunire, vn home de
religion, vn home ex
communicate, et vn vil
leine que sue son seig
niour.

Nusaunce est vn brieue
et gist lou a cun home
leue a cun autre ou es
top a cun ewe ou fait a
vn chose sur son terre
demesne en nusaunce son
prochein. Auxi se il
fuist le nusaunce alyen

there assining to be de
termine, for the en
ding of the suyt.

Nonabilitie is where
an action is brought
against one man that is
sendmunta saith the
plaintiff is not abled
sue any action, where
he vsiteth of Nona
bilitie that is to say
a mã outlawed, an a
borne out of the kings
lege, a man condemp
ned in a premunire, a
man of religion, an ex
cuntie, and a villeyn
that sueth his lord.

Nuisaunce is a writ
and it lieth where a
man leueth a thing to
a top, a cunning work
or doth any thing vp
on his ground prejudi
cial to the vse of other
and nuisance done
to the heir.

makethe the nusaunce
aiten the lauce to ano-
ther, then methis writte
shalbe brought against
them both, as it appea-
reth by the statute West.
minster. ii. Ca. xxiii.

la terre a vn auter, don
ques cest briefe serra
port deuers ambidux
come appert per lesta
tute westminster. ii. Ca.
xx. iiie.

Superobiit is a writte
gyt pethe where one
hath manye heyres, p
ce lay many daugh-
ters or manye sonnes
yet be in gauel kynde
ment, & hyeth seysed
one heyre entre the
into all the lande, than
the other that hes bal-
lon out shal hauethya
writt against p tobeyre
that is in. But a writte
Rationabile parte
lieth in such case inter
aunceestoure was
seysed, and hyeth
seysed.

Superobiit est vne
briefe, & gyst lou vne
ad plusours heyres. &
plusiers fils ou plusours
fils fi soyt in gauelk ind
in kent, & deuise seisye
& vne heyre entra in
tout la terre, dong les
auters que sount tenus
dehors, auetount cest
briefe vers le coheyre q
est deins, mes briefe de
Rationabile parte gist
in tyel case ou lauces
tour fuit vn fois seisy,
& ne murust seisy.

De iniuste heres,
ne the thereof before

Ne iniuste vexes.
Vide de ceo deuaunt,
M. i. ts

titulo *Monstrauerunt.*

Ne admittas prop
ter libertatem est vn brie
fe, & est lou le vie. se
tourne sur brief a luy
direct, q̄ il ad mande
al bailyfe de tiel fraū
ches q auer retorne des
brieses, & il nad franche
le brieſe, doq, le pl. ane
ra ce brief a ireet al vie.
q̄ il ment in le franch
ches & execute le brief
le roy. Auxi le vie. ga
nera le bailiff q̄ il soyt
deuant les iustices, al
iour contenu in le brief
& si il ne vient et luy ac
quite, doques touts les
brieses iudicials q̄ pas
seront hors de courte le
roy durant mi le plee, ser
ront brieses de Nō ad
mittas &c. & le vicōte
serra execution de eux

in the title *Monstrauerunt.*

Be admittas prop
ter libertatem is a writ
& it is the writ the
sheriff returneth vp
pon a writ to him di
rected, he hath send
in the bailiffe of franc
franches whiche hath
returned of writs, & he
hath not serued the writ
than the pl. shall bane
this writ direct to the
sheriff, he shall sende
ter into the franches
executed the kinges writ
and the sheriffe shall
warne the bailiffe to
be before the Justices at
day contained in the writ
& if he come not & ac
quite him, then all the
writs iudicials whiche
shall passe out of the kin
ges court during the
same plee, shall be writs
de Non admittas &c.
the sheriffe shall make
execu

erection of them hang ing the plee.

Oyer & terminer is a writ called in latine de Audiendo & terminando, & it lieth when any greate or sodayne insurrection is made, or any other sodayne trespass in which requireth hasty information than a king that direct a commission to certayne men & iustices to here & to determine & lawe

pendant le plee.

Oyer et terminer e briefe appellin latin de audiendo & terminãdo, & est quãt ascũ grãd ou sodene insurrection est fait ou ascũ auũ sodeyn transgression q̃ require hasty informacion, dõq̃ le roy directera vne commission a certayne gents et iustices de audiendo & terminando.

Parceners are according to the course of common lawe, & according to ye custome. Parceners accordynge to the common lawe are where an inheritoure hath issue but daughters, & ye tenementes descende to the daughters, the they be called parceners, and are but as one heyre.

Parceners sont solonq̃ le cours de commen ley. & solonque le custome. Parceners solonq̃ le cõmen ley sont lou vn inheritãt ad issue forsq̃ filles & deuie, et les tenemẽtes descendont a les filles, donq̃ ils sont appelle, parceners, et sont forsques que vn heyre,

mes si home adforq; vn file, el nest dit parcener mes el est dit la file et la heyr, & si ne sont soers les terres descenderot a les aunes, & els sont appelles parceners. A uxi quant terres descendot a diuers parceners, els poyent faire particion enter eux per agrement mes si aset deux ne voilent faire donq, lauter ou les auters aueroun vn brief de Participatione faciendo direct al vic. que ferra particion enter eux p le serement de. xii. loyals hoes de sa bailliwike. A uxi Particion per agremet puit este fait per le lay auxi bien p parol sans fayt come per fayt. Et si sont de pleine age, le particion toutes iournes

but if a man hathe but one daughter, shee is not called parcener, but shee is called the daughter & heire. Also if there be no soeers the lands shall descend to the aunters, and they bee called parceners. Also when lands descende to diuers parceners, they maye make particion betweene the selues by agreement. But if any of the wyll not make particion, then the other or the others shall haue a writ de Participatione faciendo directe to the shrieffe, who shall make particion betweene them by the othe of xii. lawful men of ye bailliwicke. Also particio by agreement may be made by ye law, as well by woord as by deede. And if theye bee of full

age

age the partition shall
remain for euer, & shal
not at any time bee de-
feated. But if the lan-
dys fyrst to the in the tatle
though that they are
cõcluded duringe their
lives, yet ỳ issue of him
whiche hath the lesser
part in value, may dis-
agree frõ the partition
enter and occuppye in
comon with the other
part. And also if ỳ hus-
bandes of the parceñs
make partition, when
the husband dyeth the
wife maye disagree frõ
the particiõ. Also if the
parceñ which is wyth
image make partition
whi she cometh to full
age she maye dysagree
But the must take
goode heede when she
cometh to her full age
that she take not al the
profites to her owne
vse of the lands which

*demurrera, & ne serra
vnques defeie. Mes si
les terres sont a ceux in
le tayle, & coment que
ils sont concludes du-
rant lour vies, vncore
lyssue cesty qui ad le
mayndre partin value
puit disagreer a le par-
ticiõ & enter & occu
pier in commen vne ẽ-
lauter parte. Et auxi si
les barõs des parceners
fount particion quant
le baron deuie, la feme
puit disagreer a la par
ticion. Auxi si le par-
cener que est deins age
fait particion quaunt
el vient a son plein age,
el puit disagreer, mes
il esuient de bien gar-
der quãt el vient a son
pleyne age, que el ne
preigne toutes les pro-
fites a son vse demesne
des*

des terres q̃ fuerõt a luy allottes, quar donques el soy agreea a le partycion, & le pleyne age serra toutes foytes de ceo intende al age de xxi. ans Auxi si sont dyuers parceners que ount fayre particion inter eux, et la partie de vn soit recouer vers luy per ty tle loyall, donques el cõpeller les auters de fayre nouel particion. Auxi ils sount parceners solonques le custome, lou home est seisye des terres in gauelkinde come in Kent et auters lieus si aunches, et ad issue diuers fits et deuie, donq, les fits sont parceners per le custome. Auxi si home addiuers fils, et dona parcell del terre a vne

were toe her abated, for the thee agreeth to the particion, and the full age shall alwaye entend to ye age of xxi yeres. Also if there are dyuers parceners that haue made partition beetweene them, and one of theire parcels be recouered bye lawefull title, thenne thee shall compell the other toe make a new particion. Also theye are parceners accordinge to the tomme where a man seised of landes in gauelkinde as in Kent, in other places fraunchesed, & hathe issue dyuers sonnes & dye, the the sonnes are parceners bye custome. Also if a man hathe dyuers daughters, & geuethe a parcell of hys lande to one daughter in frank marriage, and diethe, the

the

the husbande and hys wife will haue parte of the other landes that descende the, they must putte theire land geuen to them in frāk mariage, in both pos with the rest of ȳ land that is, one with anether and then particiō shalbe made of all

file in franke mariage et deuie si le barō et sa feme voilont auer parte de les auters tres q̄ descendont, ils couient de mistes les terres a luy donnes in frāk mariage in bothe pozouſq̄ le remeuant de la terres vn pue lauī, et donq̄ partition serra fait de tout.

Per que seruicia, Looke therefore afternarde in ȳ title Quid iuris clamat.

Per que seruicia. Vide de ceo apres, titulo Quid iuris clamat.

Post disseisin Looke for that beefore in the title Assise.

Post disseisin. Vide de ceo de euant in le title Assise.

Prescription is, when one hathe had or bled anye thinge sythe the tyme whereof noe mynde is, and sommemen saye that a hundred yere is a good prescriptiō, but one maye

Prescription est quand une chose de puys le temps dont null memoire est, et aſ ūs dient de cent ans est bone prescripciō, mes vn ne puit

preſcribe encomer vne eſtatute ſanon que il ad auter ſtatute que ſerue pur luy,

not preſerthe agayne a ſtatut except he haue another ſtatut that ſeruethfor him.

Preſentment eſt quant aſcun home q̃ ad droyt a don aſcun beneficeſpiritual, & nosme le perſon al eueſq; a q̃ il voit le doner, & fait vn letter al eueſq; pur luy, ceo eſt vn preſentacion ou preſentment, mes ſi diuers coheires ne poyent accorder in preſetment le preſentment luy ſne ſera admitte, mes de iointenaunces & tenaunts en commen ſils ne accordent, leueſque preſenter a per laps.

Preſentment is when any man whiche hath right to geue anye benefice ſpirituall, & name the the perſon to the biſhop to whō hee will geue it, and maketh a writing to the biſhope for him, ꝑ is a preſentacion or preſentment but if diuers coheyres may not accorde in preſentment, the preſentment of the eldeſt ſhalbee admytted, but the iointenants & tenaunts in common, if theye accorde not withein. vi. monethes, the byſhope ſhal preſent by laps.

Premunire eſt vne brieſe, & giſt ſon aſcun home ſue aſcun auter in

Premunire is a writte & it lieth where anye man ſueth anye other in

in the spirituall courte for anything ỳ is determinable in the kinges courte, & that is ordeined by certain statutes & greate punishmente therefore ordeined as it appereth by the same statutes, that is to saye that hee shalbee out of the kinges protection and that hee be put in prison without bayle or mainprise till ỳ hee have made fine at the kinges will, and that his landes and goodes shalbe forfait if he come not wythyn. ii. monthes. Also the prouysours proctoures, attorneyes, executoures notaries and mayntenoures, shallbee punished in the same maner, therefore looke the statuts. Also some men say that if a clark

court christian pur ascũ chose que est determinable in le court le roy et ceo ordein p certain statuts, et grand punishmt a ceo ordaine come appert per mesme le statutes, s. que il serra hors de protection le roy & que soit mis in prison sans bail ou mainprise tanque ils ad fait fin al volunte le roi et que ces terres & chattcux serrunt forfaites si il ne vein deins. ii. mois. Auxi lour prouisours, procuratours, attourneys, executors, notaries, et maiteners serrount punishe in mesme le maner. ideo vide statutum. Auxy ascuns diount que si vn clarke sue auter home in court de Rome pur

chose

chose spiritual lou il pu
it auer remedy deins ce
realme in court sonor-
dinarie que il serra in
case del statute.

Precipe in capite est vn
briefe et gist lou le te-
naunt que tient de roy
in chiefe come de sa co-
ron et il ē deforce donq,
il auera cest briefe, et
cest briefe serra close et
serra plede in le comen
banke. Auxi si ascun
tenaunt que tient das-
cun seignor soit deuoree
iuy couient suer briefe
de droit patent que serra
determine in le court le
seignior mes si le ter-
re soit tenus de roy le
briefe de droit patent
serra port in courte de
roy et cest briefe puis este
remoue de la courte le

sue another manne in
ꝑ court of Rome for a
thig spiritual where he
may haue remedy within
ꝑ realme in ꝑ courte of
his ordinary, ꝑ he shal
be wim ꝑ case of ꝑ stat.
Precipe in capite is a
writ & it lieth where ꝑ
tenāt holdeth of his lor
de in chiefe as of his
crown & he is deuorced
ꝑ is to saye put oute of
his lād thā he shal ha
ue this writ & this writ
shalbe close & shalbe pla
ded in ꝑ cōen place. Al
so if any tenāt whiche
holdeth of any lord bee
deuorced it behoueth hi
to sue a write of righte
patēt whiche shalbe de
termined in the lordes
court but if ꝑ lande bee
holdē of ꝑ king ꝑ write
of right patent shalbee
broughte to the kinges
courte and this wrytte
may bee remoued frō ꝑ

lordes counte vnto the counte by a tolt & from the counte into the common place by a pone, like wise for a lordship in the title droit.

Perambulacione faciendo is a writ and lieth where ii. lordeships lie the one nyghe another, and some incrochemente is made by longe tyme, than by assent of bothe lordes the shyryffe shall take with him the parties and ye neighbours and shall make the bundes as they were before, butte yf a lorde incroche vppon an other and he will not make perambulacion then the lorde so greved shal haue a writte against the other whiche is called de rationabilibus diuisis.

seignior en la counte p vn tolt. et de la counte in comen banke per vn pone. ideo vide deuant titulo droit.

Perambulacione faciende est vn briefe et gist lou deux seigniors gisont vn pres lauter et ascun encrochement est fait per longe temps donques per assent de ambideux seigniors le vicount prendra ouesque luy les parties & les viceins et fieront per ambulacione et feront les mets come ils fuerũt adcuaum. mes si vn seigniour increche sur lauter et il ne vosle fair per ambulacion, donques le seigniour issint greue a ũa brief vers lauĩ q̃ est appel de rationabilib⁹ diuisis.

Petit cape est vn briefe & gist quant ascun accion real.s, de ple de terre est porte & le tenaunt appere et puis fait defaut donques isserra cest briefe de petit cape de seiser les ẽres in maine le roy, mes sil ne appera mes fait defaut al premer somons, donq̃, isserra vn graund cape et pur tiel defaut le tenãt perdra la terre, mes sil gage son lay de non somons il sauera son defaut et donques il puis plede ouesque le demaũdant. Et in graunde cape le tenaunt serra sũmonis pur responder all defaut et ouster al demaundaunt, mes in petit cape il serra summonis pur responder al defaut sclement et ne-

Petit cape is a writ, and it lie the when any accion reall that pertaine to cape of plee of lande is brought and the tenant appeare the and afterwardé maketh defaute then this writ of petite cape shall go forth to seisie the landes into the kinges handes but if hee appeare not but maketh defaute at the first somons, then a graunde cape shall go forth the and for such defaut the tenant shall lose the lande, but if he wage hys lawe of non sommons hee shall saue his defaute, then he may plede wt the demaundaunt. And in graunde cape the tenaunt shalbe summoned to aunswere to the defaute and farder to the demaundaunt, but in petit cape he shalbe summoned

[illegible] to apprehend [illegible] not [illegible] demaundant & [illegible] petit cape [illegible] there is [illegible] in the writ [illegible] votes are & writes [illegible] precepts that goe [illegible] original, and in [illegible] reals & perso[illegible] there be diuers [illegible] [illegible] actions re[illegible] [illegible] proces is grand [illegible] before apparance, [illegible] of that in [illegible] petit cape, but to [illegible] actions personels [illegible] dette, trespas, or [illegible], the proces is [illegible], and if the [illegible] retourne nihil habet [illegible] baliuas, then [illegible] proces is alias capias [illegible] pluries, and they are called capias [illegible] respondendum. Alias [illegible] exigent, halbee [illegible] fiat [illegible] and if the partie bothe

my al demaundant, & est appell petit cape pour ceo que il ad mys nas in le briefe.

Proces sont les briefes et precepts que issount sur lorriginal, et in accions reals et personels sount diuers proces car in accions reals le proces est grand cape ad demandum apparas, ideo vide de ceo in title petit cape. Mes en accions personels come en det, trespas, ou detinue le proces est vn distres, et si le vicecomes nihil habet in balliua &c. dãques le proces est alias capias & pluries exigent, et ceux sont appels capias ad respondendum. Auxi lexigent sera [illegible] foys proclaymes, et si le partie

nappert il serra vslage,
mes in diuers accions so
ment diuers maners de
proces que plus longement
declare in natura brey-
uium. Auxi sōt diuers
autres proces apres ap-
paraunce quant les par
ties sonnt al office pour
faire lequel appere cōe
vn brief de venire fa-
cias et si ils ne apperont
al iour, adōque vn bri
ef de habeas corp. et
apres vn brief de dis
tringas Iurr. Auxi sōt
diuers autres proces a
pres trugement come ca
pias ad satisfaciendum
capias vlagat. et capi
as ad valentiam. &c.
mes capias ad satisfac
iend gisth en mi hōe è cās
de pruein ascū det ou
dāmages, donques il se
ra ecest par cest briefe

not appeare by shelle
outlawed but in ma
ny actions there are di
uers maners of proces
whyche at longe is de
clared in natura bre
uium. Also there are
dyuerse other proces
after paraunce when
the partyes bee assem
bled make the enquest
appeare as a writte de
venire facias and if
they doe not appeare
the day then a writte
of habeas corpus
and before a writte de
tringas Iurr. &c. also
there are diuers other
proces after trugement
as capias ad satisfac
iendum capias vlagat
et capias ad valentiam
&c. but capias ad sat
faciendum sieth where
mātis condemned in
ny det or damages then
hee shall be arrested on
thys writte and put
pitted

prisone without bayle
or mainprise till hee
hath paide the det and
the damage, butte capi
as vnlagat, iye the whe
reone is outelawed,
then hee shlabee taken
by thys writ, and put
in prison witheout ba
yle or mainprise, for ye
hadde the lawe in
contempte Capias
ad valentiam iye the
writte I am imple
d of certayne landes e
I vouche to warranty
another and cannot
serve the demaundant
so that the demaun
dant recouer againste
me, then I shall reco
ver so muche in value
against the vouche, and
I shall go for the thys
writ, also there be other
writes and writes iudi
cials as fieri facias, sci
re facias, and manye

et mis in prison sauns bailee ou mainprise tan que il ad payle det & le damages mes capias vlagat: gist lou vn est vlage donques il serra prise par tiel briefe & mis in prison sauns bayle ou mainprise pour ceo que il ad fait contempt encontre le ley. Capias ad valentiam gist lou ieo suis impledde de certaine terre & ieo vouch a garr vn auter et il ne sauoit pas barre le demaunde, issint que le demaunde recouer vers moy, donques ieo reconera tant in value vers le vouche, et doncq isser a cest briefe. Auxi sont auters proces & briefes iudycyalles come fieri facias scire facias & pluisoures

au-

autres ideo vide de ceux in lour titles.

Proteccion vn brisefe et cest lou home voit passer ouster le mere in le seruice le roy, donques il auera cest briefe et ꝑ cest briefe il sera quite de tout manier des ples enter lui et ascun autre person except ples de dower, quare impedit, assise de nouel disseisin vltime presentacionis et attaintes et ples deuãt iustice in eyresmes sont deux briefes de protection vn cum clausula volumus, & lauter cũ clausula nolumus vt appert in la register.

Auxi proteccion ne ser ra allowe in ascumple commence deuaunt le date de la proteccion si

other & therfore look for the in their titles.

Protection is a writ and it liethe where a manne will passe over the sea in the kings seruice then hee shall haue this wrytte, and by this write he shall be quyte of all manner of plees betweene him and any other persone, except plees of dower, quare impedit, assise of nouel disseisin, darrein presentment, and attaints and plees before iustice i eyre. And therebe. ii. writtes of protection one cum clausula volumus, and another cum clasula nolumus as appeareth in ꝑ register, Also a protection shal not bee allowed in anye plee begon before the date of the protection if it be

not in viages where the kinge himselfe shall passe or other vyages royals or in messages of the kinge for nede of ye realme. Also a Protection shall not bee allowed for vytell bought for the viage wher of ye protecciõ maketh mencyon, nor in plees of trespas or of contracts made after the date of the protecciõ.

ne fait in vyages ou le roy mesme passa, ou auters vyages royals, ou in message le roy pour besoyn de realm. Auxi protection ne serra allowe pur vitels achates pur le viage, dount le protection fait mencion in plees de trespas ou de contracts fait puis le date de mesme le Protection.

Prohibicyon ys a writ, and it lieth wher a man is impleded in the spirituall courte of the kynge ye touchethe not matrimonye nor testamente, but ye toucheth ye kings crown, this writ shalbee directed aswel toe ye partie as toe the officiall, to prohibyte the ye they pursue no farther, but ye appeare after

Prohibicion est vne briefe, & gyst lou home est implede in courte christien de chose que ne touche matrimonye ne testament, mes que touche la corone nostre seignieur le roy, & cest briefs serra direct auxi bien al partie come al officiall, de eux prohibit q̃ il ne pursue ouster.

termes sil appeare apres a les Iudges temporall que le matter est spirituall & nemy temporall, donques la partie auera vn briefe de Consultacion, cõmaundant le Iudges spirituall de proceder in la primer plee.

Procedendo est vn brief & gist ou ascũ actiõ est sue in vn base courte q̃ est remoue a vn haute court, come al Chaũcery, bank le roy, au commen banke, per briefe de Priuilege, ou Cerciorare, et si le defena. sur le matter monstre nad cause de priuilege, ou si le matter in le bill ne soyt bien proue, donq. le pl. auera, est brief de Procedẽdo pur remaũ-

ward to the Iudges temporall ye the matter is spirituall & not temporall, thanne the party shall haue a writte of Consultacion, commaunding the Iudges spirituall to procede in the first plee.

Procedẽdo is a writ & it lieth wher anye action is sued in a basse court whiche is remoued to a hye courte, as to the Chauncerye, the kings benche, or cõmõ place by a writ of Priuilege or Cerciorare, & if ye defend̃ vpon the matter shewed, haue no cause of priuilege or if ye matter in ye byll be not wel proued, than ye plaintif shal haue thys writ of Procedẽdo for to sed agai ye matter vnto the first basse court, and

and there to bee determined.

der le matter al primer hasse court, & la destre determine.

Quare impedit ys a writ, & it lyethe where I haue pourchased a manour to the whiche there belongethe an aduowesion, and the persone dyethe, and an other presentethe hys clerke or dystourbethe mee to presente than I shal haue the said writ But Assise of darraine presentemente lyethe where I or mye auncestoures haue presented before. And where a man maye haue Assise of darrain presentemente, he maye haue a Quare impedit, butte not contrarye wise. Also if the plee be depending beetwene. ii. parties, & be not dyscussed, but bein. vi. monethes

Quare impedit est vn briefe, & gist lou ieo ay purchace vn manerad appent aduowson & le person deuie, & vn auter present son clerke, ou moy disturbe de present, donq, ieo auera le dit briefe. Mes Assise de darrein presentment gist, louieo ou mon auncestoure ount present deuaunt. Et lou home puit auer Assise de darrayne presentement, il puit auer vne Quare impedit, mes nemy contrarie. Auxi si le plee soyt dependaunt inter deux parties, & ne soyt discussé deyns. vi. mois,

donq; leueſq; preſente-
ra per laps, & ceſty que
ad droit de preſenter,
recouera ſa damages
come appiert per ſtatute
de Weſtminſter. ii. cap
vii. Ideo vide ſtatutum
Auxi; ſi ceſty que ad
droit de preſenter apres
le mort le perſon. & ne
port Quare impedit
ne Darrain preſentmē
mes ſuffer vn eſtraūge
de vſurper ſur luy, vn-
core il auera vne brieſe
de Droit daduowſon,
mes ceſt brieſ ne giſt,
ſi le claime dauer la-
uowſon a luy et ſes
heyres in fee ſimple.

Quare non admiſit
eſt vn brief, & giſt lou
home ad recouer vne
aduowſon, & il maūd
ſon couenable clerke al

than the byſhop ſhall
preſent by laps, & bee
hath right to preſente,
ſhal recouer hys damag-
ges, as it appereth bye
the ſtatute of weſtm.
ii. ca. vii. therfore ſee
ſtatute. Alſo yf he that
hath right to preſente
after the deathe of the
perſone & bringeth no
Quare impedit, nor
Darrain preſentmente
but ſuffreth a ſtraūger
to vſurpe vppon hym,
yet he ſhal haue a writ
of right of aduowſon,
but this writte lyeth
not, but yf he claime to
haue the aduowſon to
him & his heiers in fee
ſimple.

Quare non admi-
ſit is a writ, and it ly-
eth where a man hath
recouered an aduow-
ſon, and he ſendeth his
couenable clarke to the
byſ-

bysshop to be admytted & the bishope wyll not receyue hym, than hee shall haue the said writ against the bishop. But a writte de se admittendo lieth, where it hee in plee, if the plaintiffe suppose ỏ the bysshoppe will present the clerke of the def. than he shall haue this writte to the bysshop, cõmaundynge him not to admit hym pangynge the plee.

Quare incumbrauit is a writ, & it lyethe where it hee in plee for the aduowson, and the bysshop presenteth one of his clerkes wythein the vi. monethes, than he shal haue this writte against the bysshop, but this writ lyeth alwaye pangethe in plee.

Quale ius is a wrytte

euesq. pur ceste admit, et leuesq. ne voyt (n)ie-ceiuer, donq. il auera le dit briefe vers leuesq. mes briefe de Ne admittas gist lou deux sõt in plee si le playnt suppose que leuesque voyt present le clerke le defendant, donq. il puyt auer cest briefe al euesque luy commaundant que il ne luy admytte pendaunt le plee.

Quare incumbrauit est vn briefe, & gist lou deux sont in plee pur lauowson, & leuesque present vn de ses clerke, de puis lez vi. mois dõq. il auera cest briefe vers leuesq. mes cest briefe gist tantes foits pendant le plee.

Quale ius est vn briefe

briefe & gift lou home de religion ad indgement de recouer terre, donq, deuant execucio ceſt brief iſſera al eſche tour pur inquerer quel droit il ad a recouer, et ſi ſoit trouue que il nad droit donq, ie ſeignieur puyt ent. Mes brief de Ad quod dampnum gift lou vne voyle doner terre al meaſon de religion, donq, ceſt briefe iſſera al Eſchetour. pur inquerer de que valuele terre eſt, & que preiudice il ſera al roy.

and yt lyethe where a man of religion hathe iudgemente to recouer land, thā before execucio thys writ ſhall goe forth to ye eſcheatour to enquere what ryghte he hathe to recouer and if it be found ye he hath no right, than ye Lorde may enter but a write of Ad quod dampnum lyethe where one wyll geue lands to an houſe of religion, than thys writ ſhal goe forthe to ye eſcheator toe enquere of what value ye lande is, and what preiudice it ſhalbe to the kynge.

Querentine eſt, lou home deuie ſeiſye d'vn maner place & auer terres, dount ſa femme doyt eſte endowe, donq, la feme tiendra le ma-

Querentine is wher a man dyethe ſeyſed of a maner place and other landes wherof the wyfe ought to bee endowed than the woman ſhal hold the maner place by. xl. dayes,

with

wytton whiche tyme her dower shalbee assigned, as it appeareth in Magnacharta Capitulo.vi.

ner place per quaranteins, deins quel temps son dower serra a luy assigne come appiert in Magna Charta Capitulo.vi.

Quare eiecit infra terminum is a wrytte, and it lyeth where one maketh a lease to another for terme of yeares, and the lessour infeoffethe another, and the feoffee putteth out the termour, than the termoure shal haue this wrytt a gainste the feoffee, but if another straunger put oute the termour, the hee shall haue a writte de Eiectione firma a gaynste hym and in these twoe wrytes hee shall recouer the terme and hys damages.

Quare eiecit infra terminum est vn briefe & gist lou vn fait leas a vne auter pour terme dans, & le lessour infeoffe vne auter, & le feoffe ousta le termour donq. le termour auera cest briefe vers le feoffee, mes si vne auter estrange ousta le termour donques il auera briefe de Eiectione firme vers luy, & in ceux deux briefes il recouera le terme et ses dameges.

Quid iuris clamat

Quid iuris clam

eſt vn brieſe, & giſt lou
ieo graũt le reuerſiõ de
mon tenant a terme de
vie per fine in courte le
roy, & le tenant ne voit
attourner, donques le
graũtee auera ceſt brief
pur luy chaſer pur at-
torner. Mes brieſe de
Quiem redditum red
dit giſt, lou ieo graunt
par fine, rẽt charge ou
auter rent que neſt rent
ſeruice quel mon tenãt
tient de moy, & le te-
nant ne voyt atturner,
donq, le grauntee aue-
ra ceſt brieſe, & brieſe
de Perque ſeruicia giſt
en ſemble caſe pur rent
ſeruice. Auxi ſi ieo
graunt iiii. diuers ren-
tes a vn home, & le te-
nant del terre attur-
na al graunte per pay-
ment de vne denier ou

is a writ, and it lyes the
where I graunt the re
uerſion of my tenaunt
for terme of life by fine
in ye kinges courte, and
the tenant will not at-
torne, than ye grauntee
ſhall haue this writ for
to compell hym for at-
tourne. But a writ of
Quiẽ redditum reddit
lie the where I graunt
bye fine a rẽt charge or
another rent whiche is
not rẽt ſeruice whiche
my tenant holde the of
mee, & the tenaunt wil
not attourne, than the
grauntee ſhall haue
this writ, & a write of
Perque ſeruicia lie the
in lyke caſe for rent
ſeruice. Alſo if I grant
ſower diuers rentes to
one man & the tenaunt
of the londe attorneth
to the grauntee by pay
mente of a penye or of
an halfe penye in the

name

name of attournement of all the rentes thys attournement shal put hym in seisin of all the rente. But these three wryttes ought to bee wrought agaynst those whythe are tenauntes at a daye of note, leuye and agaynste none others.

vn maile in nosme dat tournement de tout ceux rent cest attournement luy mettera in sey sen de tout cest rentmes ces troys briefes couient este port vers ceux qui sont tenants iounes de note leuie et vers nul auters.

Quare intrusit matrimonio non satisfacto is a wrytte, and it lyeth inhere the lorde offereth conuenable mariage to his warde and he refuseth and enterthe in to the lande & marieth he himsele to another, then the lorde shall haue this wrytte against him.

Quare intrusit matrimonio non satisfacto est vn briefe et gist lou le seignour profera conuenable mariage a son garde et il refusa & entra in la terre & soy marie a vn auter, donques le seignour auera cest briefe vers luy.

Quod permittat is a wrytte, and it lyethe where a man is disseyzed of hys comen of pas

Quod permittat est vn briefe & gist lou home est disseisye de sō commen de pasture & le

le disseisor alien ou des
uie seisie son heire en
tra donques si le disseisi
denie son heire auera
cest briefe,

Quo iure est vn brie-
fe & gist lou home ad
ewe comen de pasture
in auter seuerall puis le
temps de non memory,
donques celuy a que ap
pertiet la seuerall auera
cest briefe et il serra
charge de responder per
quel title il claime.

Quo minus est vn
briefe et gist lou home
ad graunt a vn auter
housbote et heybote in
son bois a prender ches-
cun an et celuy que ad
graunt fait tiel wast et
distruccion que le gras
untee ne poet auer son
resonable estouers, don-

ture and the disseisour
alieneth or dyethe seyse
sed & his heire entereth
than if the disseisie dye
hys heyre shal haue
this writ.

Quo iure is a wrytte
and yt lyethe where a
man hathe had comen
of pasture in another
seuerall sythe the tyme
of noe minde, than hee
to whome belongethe
the seuerall shall
haue hys wrytte and
hee shalbee charged to
shewe bye what tytle
he claimeth.

Quo minus is a writte
and lyethe where a ma
hathe graunted to ano
ther housebote and hey
bote in hys woode to
take euery yeare, & he
that hath the graunte
make suche wast & dys
truccion, that the gran
tee cannot haue his
resonable estouers,

then

then the graunteē shal haue the forsayd writ
ye is in maū of a wryt
of waste, & note ꝑ house
bote is called certain es
touers, to mend ꝑ house
and heybote is certain
estouers to mend heys
hedges.

Quod si deforciat is
writte and yt lyethe
where the tenaunte yn
the taile, tenant in do-
wer, or tenaunte for
terme of lyfe, leesethe
by defaut in any action
then hee that leesethe
shal haue thys writte
againste hym that re-
coueretheor agaynste
hys heire.

Quo warranto ys
a wrytte and it lyethe
where a manne vsur-
pethe to haue anye
fraunches vppon the
kyng

donques le grant auera lauāt dit briefe & est in nature de briefe de wast. Et note que house bote est appell certaine estouers pur amender sa meason, et heybote est certaine estouers pour amender heis et hedges

Quod si deforceat è vn briefe et gist lou tenaunt in le taile, tenaunt in dower, ou tenant a terme de vie par defaut in aſcū accion donques cesty que par de auera cest briefe vers ce luy que recoūra ou vers son heyre.

Quowarranto est vn briefe et gist lou home vsurpe dauer aſ cun fraunches sur le roy

ray donques le roy auera cest briefa de luy fair venen deuant son iustice pur monstre par ql title il claime tiel fraũches.

Rationabilibus diuisis è vn briefe et gist lou sount deux seignories ĩ diuers villes et lũ pres lauter et ascun parcell de vn seignioury ou de waste ad este incroche par petits parcels, et donques celuy seignioure de quel parcel de terre ou de wast ad este incroche auera cest briefe enuers le seignour que ad issit incroche.

Redisseisin, vide de ceo deuant in le title assise.

kynge, then the kynge shall haue this writte toe make hym to come beefoore hys iustice, to to shewe bye what title he clayme the suche fraunchise.

Rationabilibus diuisis is a writte, and it lieth where ther are two lordeshippes in diuers townes, and one nyghe the other and a nye parcell of one lordshippe or of wast bathe beene encracht by litle pcels, then p same lord of whome the parcelle of groundes or of wast bathe been encroched, shall haue this writte against the lorde that bathe so encroched.

Redisseysin, looke of that before in the title assise.

Relief

Reliefe ys when anye tenant holdeth of anye lyge lyde bye knightes seruice and dyeth hys heire beyng yet vnder age, than the heire at the firste daye of payment shall double the rent to the lord. Also if a man holde of the kynge in chiefe and of other lordes, the kyng shall haue the warde of all the landes, and the heire shall paye relefe to all the lordes at hys full age, but the lordes shall sue to the kynge by peticion, and shal haue the rente for the tyme that the infaunt was in ward.

Relefe is when one maketh a deede to another by these words remisse, relaxasse, et omnino pro me et heredibus meis quietum clamasse A. B. totum

Reliefe est quant ascũ tenant tient de ascun seignour per seruice de chiualler e deuenie son heire de plaine age donques le heire ale primer iour de paiment doubler a la rent al seignior. Auxi si home tient de roy in chiefe et des auters seignioures, le roy auera le garde de toutes terres & le heire puiera relief a toutes les seigniors a son pleine age, mes les seignioures sueroune al roy per peticiõ & auerount le rent pur le tẽps que lenfant fuist in garde.

Relefe est quant vn fa yt fait a vn auter per ces parols remisisse, relaxasse et omnino pro me et heredibus meis quietũ clamasse. A. B. totũ

ius

ius meũ quod habui, habeo, seu quouismodo in futur. habere potero in vno messuagio &c. mes ceux parols quouismodo habere potero sont voides, quar si le pere soit disseisie & le fites relesse per son fait de relesse sans garrãtie de to ut son droit per ces parols quouismodo &c. et le pere mourrust, le fils puit loialment enter sur le possession le disseisor. Auxi in vn relese si couient a luy a que le rel se serra fait que il ad vn franktenement ou vn possession in le terres in fait, ou in lay, ou vn reuersion al temps a le relese fait, quar si il nad riens in le terre all temps de release fait le release ne serra luy a

ius meum quod habui habeo, seu quouismodo in futurum, habere potero in vno messuagio, &c. but these wordes quouismodo habere potero be voyde, for if the father bee disseised, and the sonne release by hys owne deed of release wonte warrantie of all his right, by those wordes quouismodo &c. and the father dyeth the sonne maye lawfully enter on the possession of the disseisoure. Also in a release it is needefull to hym to whome the release shalbe made, that hee haue a freeholde or a possession in the landes in deede or lawe, or a reuersion at ye time of the release made, for if he haue nothinge in the land at the time of ye release made, the release

lease shal not bee to hi
uailable, but if a man
disseise another and
the seised, and the
landes discende to the
sone although ý sonne
doth not enter, yet hee
hath a free holde in the
lande, that bye discente
is cast vpõ hi, and there
fore a release made to
him is very good. Al-
so if a dysseisoure lette
landes that hee hathe
by disseisin to another
for terme of lyfe sanige
the reuersion to him, if
disseisie or his heires
release to ý disseisor all
the rightes, &c. ý release
is good for that ý hee
hath a reuersiõ at ý ti-
me of the release made
and in like maner it is
where lese is made to a
man for terme of lyfe,
the remaynder to ano-
ther for terme of

uailable, mes si home
disseisie vn auter &
murrust seisie, et lester
res descend a son fils, co
ment que le fils ne en-
tra pas vnquore il ad
vn franktenement in le
lay que par discent est
iette sur luy, et pur ceo
vn release fait a luy est
assez bon. Auxy si dis
seisour lesse terres que il
ad per disseisin a vn au
ter pur terme de vie sa-
uant la reuersion a luy
si le disseise ou son heir
release al disseisour to-
ut le droit &c. cel re-
lesse est bon pur ceo que
il auoit vn reuersion al
temps de relesse fait &
in mesme le maner ē lou
lesse est fait a vn home
pur terme de vie le re-
maūder a vn auī purtūt
de vie

de vie le tem a vn auter in le taile, le remainder a vn auter en fee, si vn que ad droit release a ascun de eux in le remaynder tout son droite tiel releffe ē bon pur ceo que chescun de eux ad vn remainder in fait vestu in luy, mes in tiel case si le tenant a terme de vie soit disseisie le possession in le disseisor & celuy que ad droit relessa a vn deux in le remainder tiel relesse ē voyde pur ceo q̄ il nad forsque vn remainder ē droit et nemyen fayt. Auxi vn relese fayt a celuy yn le remainder ē fait aidera celuy que ad le frank tenement, et vn relesse fait a celuy q̄ ad le frank tenemēt in remaint aydera ceux in le

of lyfe, the remainder to another in tayle, remainder to another in fee, yf one that hath right, release to any of them in the remainder al his right, suche release is good for that that euery of them hathe a remaynder in deede vested in hym, but in suche case yf the tenaynt for term of lyfe be disseysed the possessiō in the disseysor and hee to whyche hathe right release to one of them in the remainder suche release is voyde, for that ỳ he hathe not butte a remainder in right & not in deede. Also a release made to him ỳ remainder in deede shal ayde hi ỳ hath ỳ free holde, & a release made tos hym which hath ỳ free hold shal in deede helpe thil

the re-

reuersion or in the re-
mainder yet they can
not sue for. Also yf I
make lease to a man for
terme of yeares, & yf I
release to hym all my
right before y he enter
in the land, the release
is voyde for that y hee
had not possession at
the time of the release.
But yf hee be entred &
had possession, the re-
lease is good too hym.
Here in suche case hee
hath not by my release
but estate for terme of
his life. For yf I make
lease to a man for time
of life, and I release to
hym all my right, not
charge any more than
I did bye suche release
is not enlarged. But the
I release all my right
to hym and hys
heyres, the he hath fee
simple, & if I release to
hym & to his heires of

reuersion ou in le re-
mainder, s'ils ceo poyent
monstre. Auxi si ieo
fait leas a vn home pur
terme d'ans, & si ieo re-
lesse a luy tout mon dro-
it demaunt que il entra
in le tre, ceste releas est
voyde, pur ceo que il
nauoyt possession al
temps del release, mes
si il vst entre & ad pos-
session, la release est bon
a luy, mes in tiel case il
nad per mon release,
forsque estate pur terme
de sa vie, car si ieo fayt
leas a vn home pur time
de vie, & ieo relesse a
luy tout mon droyt, sans
plus dire, ore le state p
tiel release nest ny en-
large, mes si ieo relesse
tout mon droit a auer
a luy & ses heyres, do-
que il ad fee simple, &

ſi ieo releſſe a luy & a
ſes heyres de ſon corps,
donq; il ad fee tayle. Et
iſſint il conient de ſpe-
cifier in le fait de releſe
q̃l eſtate celuy a que le
releaſe eſt fait auera.
Mes ſi ieo ſoy diſſeiſy,
& apres ieo releſſe al
diſſeiſour tout mõ droit
ſauns pluis dire, donq;
p cel releſſe le diſſeiſor
ad vn droit vel fee ſim
ple pur ceo q̃ il auoit vn
fee ſimple adeuant. Et
pur ceo note a bene quant
vne a que le releaſe eſt
fayt ad fee ſimple, il
neſt beſoign de parler
auer a luy et ſes heires,
mes quant vn home ad
eſtate pur terme de vie,
il conient a dire in le
releſſe, a luy & ſes hei-
res. ou a luy & ſes hey-
res de ſon corps, ou an-

hys body, then he hath fee tayle, & so he ought to specifie in the deede of the releaſe what eſtate hee too whom the releaſe is made, ſhall haue. But if I hee dyſſeyled, & after I releaſe to ỳ diſſeiſoure all myne rygbte wythoute anye more ſayinge, then bye ſuche releaſe, the diſſeyſoure hath bya rightfull fee ſimple, for that hee had a fee ſimple before. And for that note well when one to whom the releaſe is made hathe fee ſimple it is nede to ſay, to haue to hym and hys heyres. But when a man hath eſtate for terme of lyfe he ought to ſaye in the releaſe, to him and hys heires, or too him and hys heyres of hys body or other lyke, he

hath no greater estate then he had before.

A remitter is, when a man hathe two tytles to a tyme land, and he commethe to the land by the laste title, yet hee shalbee iudged in the eyeforce of his eldar title, and that shall be layde to hym after, as if the tenant in the tayle by continewe the tayle, and after dyssesin, and dyscontinue and the tyme of seysin and the landes descend to hys issue nacomolateral by force of the tayle, in that case he is in the remitter, that is to saye, seysin by force of the tayle, and tytle of the bastone, and he is attyte, and called and reputed the sonne and heyre.

terment il ad plus greinder estate q'il auoit adeuant.

Remitter est quant vn home ad deux tytles a ascuns terres, et il vient al tre per le darrein title, vncore il serra adiudge en sa force de son pluis eisne title, et ceo serra dit a luy que remitter come si tenant in le taile discontinua le tayle, et puis disseise discontinue et murrant seysi et les tres discendant a son issue ou cosin inheritable par force del tayle, in ceo cas il est in son remitters, seisie per force del tayle et le title del discontinuance est on terment auant et desceie, et le reason et cause de ceo

remitter eſt, pur ceo que
ſi le heire eſt tenant del
terre, & n'eſt aſcũ per-
ſon tenaunt vers que il
poyt ſuer ſon briefe de
Formedone pur recouer
l'eſtate taile, quar il ne
poyt auer action vers
luy meſme. Auxi, ſi te
nant in le tayle infeoffa
ſa fits ou heyre appa-
raunt in le tayle que eſt
deins age, & puis de-
uie, ceo eſt vn remitter
al heyre, mes ſi il fuit de
pleyne age al temps de
ſicel feoffement, il n'eſt
remitter, pur ceo que il
fuit ſon ſolij que il eſte-
ant de pleyn age, voyle
prender ſicel feoffement.
Auxi ſi le baron alien
terre q'il ad en le droyt
ſon feme, et puis repreſt
eſtate a luy & a ſon
feme pur terme de lour

of ſuche remitter is, for
that ye ſuche an heyre
is tenaunt of the lande
& there is no perſon te
nant againſte whome
he maye ſue his writte
of Formedon for to re
couer the eſtate tayled
for he maye not haue an
action againſte himſelfe.
Alſo if tenant in ye tayle
enfeoffe his ſonne or
heire apparaunt in the
tayle which is within
age & after dyeth, that
is a remyttet, for the
heyre. But ye he were
of full age at the time
of ſuche feoffement, it
is no remitter, for that
ye it was his ſolye that
he beyng of full age
woulde take ſuche
feoffemente. Alſo if the
barron alien landes
he barō in the ryght
his wyfe, & after he
aryeſtate again to him
& to his wyfe for term

of thoseliues, that wile
remitter to the woman
for that ye thys alyena-
cion is the acte of the
husband & not of the wo-
man, for no folye may
be imagen in the wo-
man ouryngge the lyfe
of her husbande, but yf
such an alienacion bee
made in courte of re-
cord, such a takynge
afterward to the
husband & wife for term
of their liues, shal not
bee by woman to her
husband remitter, for
whichen fyrst the man
shal bee examined
by the iudge of sche al-
ienacions in fynge
of fyne, lyche wo-
man for ever. Also if the
husband of ange man
be in vlnes & be fayne the
estate to bryn when
he is of age, yf yt bee
but bedde endented
remitter of renoyne

vies, ceo est en remitter
al femme, pur ceo q̃ ceste
alienacion est lacte le
baron & nemy le feme
quar nul folye puet estre
adiudge in le feme dur-
rant le vie le barõ, mes
si tiel alienacion soit p
fine en court de record,
tiel reprisell apres al
baron & feme pur ẽme
de lour vies, ne serra la
feme deste insur remitter
pur ceo q̃ en tiel fine
le feme serra examine
per le iudge en ceste
cas exemiacions en
fines, excludent ovyel
femmes a touts iours.
Auxiquãs enure des-
cein home est longe a
le ceo il prist estate a
luy quant il est de
plene age si ne soit per
fait indenie en matter
de record, que luy es-

[illegible] opera, ceo serra a luy
[illegible] remitter.

Rentes sont indy
[illegible] maniers, cest a sou-
[illegible] mayr, rent seruice, rent
[illegible] charge, & rent secke.
Rent seruice est, lou le
tenant in fee simple ou fee
[illegible] tenure de son seig-
[illegible] per fealtie & ren-
[illegible] rent, ercdoms, &
[illegible] rent, sont ad rent
[illegible] le seignior pour distraine
[illegible] pur rent, mais pur ceo
[illegible] ad nauera action
[illegible] de dessesse sur ceo donc
[illegible] rentes en seruice a ma-
[illegible] hauer endant a mayr ren-
[illegible] remayndre rent
[illegible] rent seruice, mes va
[illegible] il [illegible] rent
[illegible] fee simple sou in le de-
[illegible] quant il homes
[illegible] feoffes en fee ou chaud

which shall ever bynd
that shall be to haym
good remitter.

Rentes be in diuers
maners, yt is, rent ser-
uice, rent charge, & rent
secke. Rent seruice is,
lyher the tenant infee
simple holdyng his land
of his lord by fealty &
rent, or by fealty
ther seruice & no rent,
then if the rent be
[illegible] be [illegible]
[illegible] mayntayne
the rent, but for a part
shall not bind an [illegible]
[illegible] tenant
paying the rent [illegible]
rent, then [illegible]
[illegible] rent seruice
[illegible] rent
[illegible] a man
[illegible] rent
[illegible] tayle, & do
[illegible] other [illegible]

without deede, reserueth to him a certain rente, such reseruacion is voyde, and that is by the nature Quia emptores terrarum and then he shall holde of the lord of whome his donor held. But if a man by deede indent at such a day make such a gifte in tayle, the remainder ouer in fee, or else for terme of life, the remainder ouer in fee, or a feoffement, and by the same indenture reserue to him rent, that if the rente be behinde, that well lawfulle to him to distrayn then such rente is rente charge. But in such case, if there bee not any such clause of distresse in the deede then such rente is called rente seche.

in le tayle, le remainder ouster in fee sauns fayt, reseruant a luy vn rent, cest reseruacyon est voyde, & ceo est p force del statut quia emptores terrarũ, et donques il tiendra de le seignour de que son donour tenoyt, mes si hee per fayt indente a cell iour fayt tyel done in le tayle, le remayndder ouster in fee, ou lesse a terme de vie, le remayndder ouster ou vn feoffement, & p mesme indenture reserua a luy vn rent, et ques si le rent soit arere, q̃ bien lirroit a luy a distreignore tiel rent est rent charge, mes in cel case si ne soit nul tiel clause de distr. in le fait donq, tiel rent est appel rent seche, & per tyel

rent secke, il ne iammais distreinera, mes
sil fuis vn foite seisy, il
auera Assise, & si il
iammays ne fuit seisy
est sauns remedy. Auxi
si vn graunt vn rent
issaunt hors de sa terre
ouec clause de distresse,
cest vn rent charge, &
si le rent soyt arrere, le
graunte peyt eslier de
distreiñ ou suer vn brie
fe dannuite, mes il ne
puyt auer ambideux,
quar sil port briefe dan
nuitie, donques le terre
est discharge. Et sil dis-
treine et auowa la prise
in court de record, don
ques le terre est charge,
et le person del graun-
tour discharge. Auxi
si vne graunt vne rent
charge, et la graunte
purchase le moytie de

and for such rente seck
he shal neuer distraine,
but if he were once sei-
sed, he shal haue assyse.
And if he were not sey-
sed, it is withoute re-
medye. Also yf one
grãt a rent goyng out
of his land with clause
of distress, that is rente
charge. And yf the rent
be behind, the graun-
tee maye chose for dys-
traine or sue a writ of
Annuitie, but he can-
not haue bothe, for if
he bring a writ of An-
nuitie, then the lande
is dyscharged. And yf
he distrayn and auowe
the takyng in p court
of record then the land
is charged, and the per-
son of the graunteour
discharged. Also yf one
graunt a rente charge,
e the graũtee purchase
the halfe of the lande,
then al the rente is ex-
tinct,

stinct, butte in rente seruice, if the lorde pourchace parcelle of the lande, therme the rente shall bee apportioned but if one halbe a rente charge and hee fathee purchace parcell of the lande ann that parcelle descende to the sonne which hath rente charge, then the rente shall bee apportioned according to the value of the land as it is land of rente seruice, for by the sonne commeth to that not by hys owne acte, but by descente. Also if I make a lease for terme of yeares reseruing to me certaine rente, that is called a rente seruice and for that it is at my libertie to distraine for the rent, or to haue an action of debte, but if the lease be determined, and the rente bee

la terre ore tout le rent est extinct, mes en rent seruice si le seignioure purchas parcels del terre donques le rent serra aporcion, mes si vn ad vn rēt charge, et sō pere purchase parcel del terre et cel parcell descēd a le fits, que ad le rent charge, ore cel rent serra aporcion solunque le value del terre come est dit de rent seruice, pour ceo que le fits ne vient a ceo par son acte demesme mes par descent.

Auxi si ieo fais vn lesse pur terme dans reserant a moy vn certaine rēt, ce appell vn rēt seruice: et pur ceo il ē a mō liberti a distrainer pur le rent ou auer vn actiō de dette, mes si le lesse soit determine, et le rent

soit

soit arrere donques ceo
ne puisse distraine, mes
serra mis a mon accion
de dette.

Replication est quant
le def. in ascun accion
fait respons et le pleintife
fait respons a ceo, cest
est appelle la replication
le pleintife. & Resoin
der est quant le de-
fendant fait respons
al replication.

Replevine est vn bri
ese et fist quant ascun
home distraine vn an-
ter pur rent vu auter
chose, donques il auera
cest brese al iustices pur de
liuer a luy la distres &
trouer a suer le par-
suer son accion, et si il
ne pur sua ou soit trouue
& iudged encounter luy
donques cest y q prist la

debtinde, then I cannot
distreyne but shall be
put to my acteyon of
dette.

Replication is when
the defendaunt in any
action maketh an an-
swere and the plaintife
maketh an answere
to that, that is called
the replication of the
plaintife and a resoin
der is when the defen
daunt maketh answer
to the replication.

Replevin is a writte
and it lieth when any
man distraineth any
ther for rente, or other
thynge, then hee shall
haue this writte to the
shrede to deliuer to the
the distres, and that
shrede shall to pursue
his actyon, and yf hee
pursue it not or if it be
found or iudged a
gaynste hym, then hee
that tooke the distres
shall

[illegible] haue the [illegible]
[illegible] be called the re-
[illegible] of the heaues, t
[illegible] habendi
[illegible] habendu
[illegible] princhesse, bailliuche
[illegible] parte shall haue a
[illegible] of the sherifs
[illegible] to the bailliffs of
[illegible] franchises
[illegible] and he shall hold
[illegible] to iustice, hys
[illegible] at the next court
[illegible] may
[illegible] of the
[illegible] to the common
[illegible] hye auoyte of re
[illegible] and to answere of
[illegible] aprynd the [illegible]
[illegible] also a [illegible]
[illegible] dominus repugnare
[illegible] to here [illegible]
[illegible] al comãdment of kingis
nor of his iustice, nor
[illegible] nor
[illegible] kings forest nor such

[illegible] le distres et est
appellee [illegible] de
[illegible] ceil adire tiel cause
briefe que est appellede
[illegible] habendo. [illegible] ex
si fait [illegible] franchises
[illegible] de pre
[illegible] ou reprenin del
[illegible] sires al bailliffe de
mesme les franchises par
[illegible] si il trouer
[illegible] de parjurer [illegible]
[illegible] prochaine court
[illegible] est plenium pour
[illegible] dont [illegible]
[illegible] de examen bancke
pen briefe [illegible]
[illegible] plus de replevine
[illegible] tiel [illegible]
[illegible] briefe de homine
replegiando [illegible] hõe
est in prison [illegible]
pen especialement commande
ment le roy ne de ses
iustices ne pur mort de
[illegible] ne pour la forest
le roy ne pour tyel

causa que est replevisable, donques il adera cē
briefe directa al vicount
que il luy faine esse re-
plevin et cest briefe est
vn iustice et non retou-
rnable, si vicount re-
ceo face donques issera
vnter briefe secund alias
et vpheyamen briefe
secund plivies, vel causa
nobis significes que ser
ra retournable, et si le
vicount ne vorlle ne face
replevin aliques issera
vn attachement vers le
vicount directe al corone
nous de attacher le vicount
et de luy amesner devant
les iustices a vn
certaine iour a gisten
ceo que ils facent execu
cion del primer
briefe

Resceus est vn brief qui est

causé that is not replevisable, then he shall
hane this writte directed to the shiriffe that
he cause hym to be re-
plevyde, this writte is
a Justice and not re-
tournable, and if the
shiriffe doe it not, then
there shall goe forth
another writte, sicut al-
ias et after warde an-
ther writt, sicut pluries
vel causa nobis signi-
fices, which shalbe re-
tournable, and if the shiri-
fe yet make not replevin
then there shal goe forth
an attachement against
the shiriffe directed to
the coroners to attache the
shiriffe and to bringe hym
before the iustices at
certain days, and
furthermore that they
make execucion of the
first writte

Resceus is a writt and

it lieth to bear any ma-
nerde a beares and a
nother taketh it again
from him and will not
suffer him to damage
the beastes wyth hym
then he doth to distre-
yn them and upon that
he may haue this wryt
and shall recouer dam-
mage. Also yf one dis-
traine beastes for dam-
mage fesante in his
grounde and dryue the
them in the hye wayes
for to impounde them
and in goyng they en-
ter into the house of hi
whose they bee, and he
withholdeth that there
and will not suffer the
other to impound the
them that withholding
is reasons.

Receipte is when any
accountes bringeth a-
gainst the tenante for
terme yeres, or tenant

gist quaunt a scun home
prent distresse en auter
reprist le distress a luy
et ne luy voille suffer a
mesme le distress ouc luy
donques il fait a luy re-
cone et surcecit pour a
ver et briefe et recouera
damages. Auxi si un
distraine bestes pour dam-
mage fesant en sa terre
et les enchase per le bau-
ne chemin par une
parke et un alme ils
entrent en le meson de
luy a que ils sount, et
il eux destent le et ne
voile suffer lauter de
eux in parker donques
ceo destrier est reso-
rons.

Receipte est quaunt
a scun accounte est parte
yeres venant pour terme
de vie, ou de payant a

terme dans et eyſtre in
la reuerſion, ainſi ceux
pur prier deſtre reſeyuez
pur deſcriller de terre et
pur plede ouiſque le de
mandant ſoit ſuiant et
vint il conuient que il ſa
it toutes fois prest a ple
der ore le demandant
Scire facias eſt mibriefe
iudiciall iſſant hors de
recorde en gaſ lon vn
ad recouerer des ou dam
mages in court le roye
et il ne ſue pas dauer ex
ecucion de ceux ou le
iour ſi ouiques apres lon
de ſauer ſon a ladit bre
fe a garnerle parte, &
ſi le partie ne vein ou ſi il
vein et ne ſauoit riés di
re inconter execucō dō
ques il dueraa mibriefe
de ſcire facias directa al
vicont leur comandant q
il leue le dit ou les dam

ſo forme of yeares,
he in the reuerſion com
meth be in and praieth
to be receyued to ſo
defend the lande, and
to plede with the de
mandant, ſiſo he
be commeth it behoueth
y he be alway redy to
plede wi y demandant.
Scire facias is a writte
iudiciall going out of
record, e it lieth where
one hath recouered dam
ages in the
kinges court e he
ſueth not to haue execu
cion within yeare e the
day, then after y yeare
and the day he shall
haue the ſayde writte
warn y party e if y pa
rtie come not, if he come
e nothing ſay againſte
y execucō, the he ſhall
haue a writte of ſcire fa
cias directed to y ſhe
riff commanding he leue
y hole damages of y

goode

des biens celuy q̃ ad per
due. Auxi cest brief de
fierifacias est deis lan
sauns ascũ scire facias
suer. Auxi si la sõme de
m̃ le det ou dãmages ne
puis ẽ leue des biens ce
luy q̃ auoit p̃ due dõq̃ il
puis auer vn brief de e
legit direct al vic. que
il face luy deliuer la
moite de sa terre et biẽs
except ses boues & affie
ra de sa cause. Auxi
quãt vn ad recouer det
ou dãmage en acciõ p̃so
nel (lou le procẽs est vn
capias) il p̃uis auer vn
auter brief de execuci
on appel capias ad sa
tisfaciẽdũ pour prẽdre le
corps celuy q̃ ẽ issũ con
dẽpn q̃ serr. cõmit al pri
sõ illõq̃ a demurrer sãs
baile ou mainprise tãq̃
il ad satisfie le parte.

auxy

[illegible] of hym p̃ hathe
[illegible] also this writte of
[illegible] fieri facias lieth vnto
[illegible] wout sure facias
[illegible] also if p̃sume of p̃
[illegible] dette or damages
[illegible] not be leuyed of
[illegible] goodes of hym that
[illegible] lost them, he may
[illegible] a writte of elegit
[illegible] ected to p̃ shrif p̃ he
[illegible] muse him too delyuer
[illegible] one halfe of hys
[illegible] des & goods except
[illegible] ouerns & implementz
[illegible] his carte. Also when
[illegible] hath recouered det
[illegible] dammages in an
[illegible] cion p̃sonel (where p̃
[illegible] ces is a capias (hee
[illegible] may haue another in ast
[illegible] execucion called a
[illegible] ias ad satisfaciendu
[illegible] to take p̃ body of hi
[illegible] is so cõdepned, which
[illegible] shalbe cõmitted to pri
[illegible] ther to abide in ponte
[illegible] or mainprise til p̃
[illegible] he hath satisfyed p̃ pte

Dauci quant vn ad in-
gressum de recouer aſeã
terres ou tenements il
auera vn briefe appel
habere facias ſeiſinam
direct al vicount luy cõ
mandant de deliuer
al ly ſeiſin de meſme le
terre iſſint recouere. vi
de plus de ceo in le title
fieri facias, et en le ty-
tle execucion.

Seruice de chiualer vi-
de de ceo in le title gra-
nand ſergeantie, et in le
title eſcuage.

Summons ad warran-
tizandum et ſequatur
ſub ſuo periculo vide de
ceux apres in le title
voucher.

Taile vide de ceo de-
uant in le title ſecta ad

Also whereas hath
mogrinto recouer any
lands or rents he shall
haue a writte called
habere facias ſeiſinam
directe to the ſheriffe
bym commaundyng
to deliuer to bym ſei-
ſyn of the ſame lands
ſo recouered. See more
of that in the tytle fie-
ri facias, and in the ty-
tle execucion.

Seruice de chiualer,
looke of that in the ty-
tle grande ſerieante-
rie, and in the tytle ef-
cuage.

Summons ad warran-
tizandum et ſequatur
ſub ſuo periculo, ſee of
them after in the tytle
voucher.

Taile looke therefore
before in the tytle of
taile.

Treasure troue es-
quant a scun money, or,
argent, plate ou bolion,
est troue en a scun lieu,
& nul conust a que le
propretie est, donques le
propretie de ceo appertiet al roy, et ceo est dit
en scun treste. Mes si a-
scun myner all de met-
all soit troue en a scun
terre, ceo toutes foys
pertiet al seygniour del
soyle, forsque que il soit
myner all de or, ou de
argent, qeuux serroient
toutes foys al roy, in q̃
cunque soyle que ils sont
trouez.

Treason est in deux ma
ners, s. haute treason, &
petit treason, come
est ordeyne per le statu-
tes, et ideo vide statuta

VVaſte eſt vn brief & geſt lou tenant a terme
dant, ou a terme de vie,
ou p̃ pour terme dantier
vie, tenant in dower, ou
p̃ per courteſy, ou gar-
deim en chiualry fait
waſte ou deſtruction ſur
la terre. ſil debruſe
meſon, ou coupe mes
arbres, ou fuſſer le mea-
ſon dolumarily pur eſ-
chier, dong, teſty in le
terre ſuſpendent brief et
ream en le lieu ou le
maſſ ſuit ſuitet iii dam
Mes ſi hee cap̃ meriſm
ſaunt lieu, & ouef-
que ceo repaire les mu-
ciens meſons, vne ore
ceo neſt pas waſte. Mes
ſil ou eſquele meryſme
edifia vne ouel meſon
dengueis le couper de
ryel meryſme eſt waſte.
Auxi le couper de ſub

Waſte is a ſuit and it
lyeth be tweene tenant for
terme of years, tenant
for term of life, or tenant
for term of another
life, tenant in dower, or
tenant by courteſy, or
gardeim in chiualry, doth
make waſte or deſtruc-
tion vpon the land, or ſuch
as pulleth down the
houſe, or cutteth down
timber, or ſuffereth the
houſe willingly to fall
downe in ſo much that
that houſe ſtanding
where the houſe is ſtand
and treble damages
but if a man cut down
timber wit hout houſe
& therewith repayreth
old houſes, yet that is
no waſte. But if he cu
timber vpon a houſe, then
houſe, then if cutting
down of ſuch timber
is waſte. Alſo if cutting
downe of vnderwoods

boys en willowes que
nest pas mes ysme ne se
ra agit ne este, simon que
ils cessont in le view in
site de ne mesfon.

Kiere est quant vn
cum actiō reell est port
& le tenant ne sumoyt
bene, quel ne vel il est que
le demandant demaūd
dong, le tenāt pria ce la
view, q̄ ad puis veyen
le tenāt que il est aymas
Mes si le tenant ad en
le viewe issuit briefe de
puis le briefe est abate
per wisnomber de ville
ou per ioinctenant, car pu
is le demandant por ce
tel briefe nest tenant
ant dong, le tenāt ne
ad le viewe de ceste se
cond briefe.

Villenage est vn tenure, & est quando vn home tient de son seignior per villeine service, come de curier le fine le seignior ou auter vyle service, & cest tenure ne sera franke home villeyne, quar vn villein est tenu quie est villein de sank & de tenure, & le seignior poyt luy vender de ses seruers & vaynemenes, ou poit prender tout ses biens & luy chasser a ses pleasures, saluer que il ne poyt luy mahayne, car dicit, si uera vero sonst seignior vn frefe de mahayne, et ascune sons villeyns per ybi de prescrypcio, que nous lour sank ont esse vel leins regardants a le mesme dun seygniour

Villenage is a tenure, & is when a man holdeth of his lord by villeine service, as to carye the dung of his lord, or other vile service, and suche tenure shall not make a freeman villein, for a villein is he which is villein of blood & of tenure & lord may put it fro his land & tenemente, & may take all his goods & chattels, bitty as his pleasure, saluing that he cannot mayntene him against all manyere men, shall lord against whom he is villein. And some be villeins by title of prescryption, that is to sayne, that their ancestors have been villeins regardants to a man & lord of time out of mynde. And some be all

villeins by tyrice con-
fession in a court of re-
cord. Also the lord may
make a manumission upon
his villeyn & make him
free for euer. Also
if the villeyn brings a
action against his
lord, yet he doe not ap-
peale of mahayme, and
the lord make answer
unto it, then by
that the villein is in
seruitude. Also if a vil-
lein purchase lands and
goods, & sell the
same goods be seised
or seisin made
to the lord, the sale is
void. But if king wil
he is lord of a villein
which sale may enter
into the lande after
the sale made, for
the time runneth a-
gainst the king.

Vilaica amouenda

des temps de non memo-
ry. Et ascun sont fayt
villeins per lour cõfes-
sion in vne court de re-
corde. Auxi le seigni-
our puyt faire vn ma-
numission a son villain
& luy infraunchiser a
touts iours. Auxi si le
villeine port ascun ac-
tion vers son seignr, si
ne soyt Appell de ma-
hime, & le seignour a
ceo fait respons, donq,
p ceo le villeine est in-
fraunches. Auxi si vn
villein purch. terre, &
ad biens & vende les
ãres & biens deuaunt
ascũ entre ou seysin fait
p le seignr, la vend. est
bon, mes le roy que est
seignour de villeyn in
tiel case puit enter &
seyser le terre apres cyel
vend sayt, quia nullum

P. iii. tem

tempus occurrit regi.

Si laica remouenda
p vn brieue, & gist lou
debate est parenter deux
psons en quisonques dun
esglise, & lun enter en
le esglise ove grañd power
de lay homes & vient
lauter de hors ove force
& armes, dong celuy q
est tenus de hors, auera
le dit brieue directe al
vicoūt q̄ il remoua cest
power q̄ est dens le esgl.
& serra commaund al
vic. q̄ il trouue ascūs ho-
mes la contrestaunts, q̄
le vic. prēdey ouesq. luy
la posse de son coūtie si
besoign soit, & fra at-
tach per lour corps touts
ceux luy resistaunts, &
les mettera in prison as-
sint que il eit lour corps
deuant le roy a certayn

is a writte and it lyeth
where debate is be-
twene two persons ex-
pauntsors for a church
and one of them en-
trede into the church
with the greate power of
layemen, and he lieth
hy other out wyth them
and armes then he
is holden out: shal
haue thys writte direc-
ted to the shyrrife that
he remoue that power
wyth the wyth the trespas
churche, and the shyrrife
shal bee comprynsed
if hee finde any men
there wyth the standyng
that the shyrrife shal
take wyth him the po-
wer of his coūtie if ne-
be, and shal arreste the
bodyes of al them that
resistyng, and shall put
them in prison, so that
hee haue theire bodies
before the kynge at a
certayne daye to anu-
swere

[illegible] to the contempt [illegible] writte is re[illegible] that not [illegible] graunted before [illegible] bishop of the place [illegible] such a churche [illegible] certifieth [illegible] such [illegible] and force.

[illegible] hereunto, [illegible] before in the [illegible] distresse,

[illegible] a writte [illegible] the [illegible] of ange churche, [illegible] and holden vn[illegible] fee, or translated [illegible] the possession of another churche, and [illegible] pendoure vpethe, [illegible] his successoure [illegible] haue the sayde [illegible], And note wel [illegible] that hathe [illegible] or commen se[illegible] ange maintayne [illegible] writte, butte a

ionir de respondere del contempt. Et cest brief est returnable & ne serra garrant de riuin que lenesq; del lieu lou tiel esglise est, eyt certifie in la chauncery tiel resystance & force.

Kitchen. Vide de eo dem titulo Distresse.

Vn autre est vn brief & a ist quant le droyt de cun esglise est alien & tenus in laye fee ou translate in possession dauter esglise, et le alienour deuie, donques son successour auera la dyt brief. Et note que nulle que ad conent ou comen seale puit maintein cest brief, mes brief de entre sine assensu

capitali de alienacion, fait per son predecessor.

Volunte est quant le tenant tient a le volunte del lessour ou del seignior, & ceo est en ii. maners, vn est quant ieo fayt lesse a vn home des terres, a tener a ma volunte, donq; ieo puis luy ousta a mon pleasure, mes si il emble le terre, & ieo luy ousta, donq; il aura son imblement, & egresse & regresse ie sques ils sont matures pur eux scier & carier hors del terre & tiel tenaunt a volunte nest pas tenus de susteiner & reparer le mesaun sicome tenant a terme dans est tenus, mes si il fayt voluntarye waste, le lessour aura

luzit of entre sine de sensu capitali of alienacion made by his predecessour.

Volunte is when the tenant holyt by the will of ꝑ lessour or of the lorde, & that is in two maners. One ye when I make a lease to a man of lands, to holde at my wyll, then I may put hym out at my pleasure. But if he sowe the ground, & I put hym out, then he shall have his corne, & goyng out & comyng in tyll they be ryppe & rut and cary out of the ground. And suche tenaunt at will is not bounde to susteine and repaire the howse as a tenant for terme of years is bounde. But if he make wilful waste, the lessoure shall have agayuste hym an action

tion of trespas. Also
for to another tenant
at will of the lorde bye
copye of court rolle ac-
cordinge to ye custome
of ye manner. And suche
a tenaunt may surren-
der the landes into the
handes of the lorde
bye custome to the vse
of another for terme
of life, or in fee simple
or in tayle, and then be
shal take the landes of
the lorde, or his ste-
ward bye copye, and
shall make fyne to the
lorde but yf the lorde
put out such a tenaunt
he hathe no remedye
but to sue bye peticion
and yf suche a tenaunt
wyll sell or trade any
of the landes, ex-
cepte onlyte for enter
plaintes in the courte
and shall declare in
the nature of what

verslay vn accion de
trespas. Auxi est auter
tenaunt a volunte del
seignieur par copy de
court roule solonque le
custome del maner, & si
el tenaunt puis surren-
der le terre en le mains
le seignieur par le custõe
al vse vn auter pur ter-
me de vie, ou vn fee sim-
ple, ou fee taile, et donq
il prendra le terre del
seignieur ou son sewes-
chal par copy, et fera
fyne al seignieur, mes
si le seignieur ouste tel
tenaunt il nad remedy
mes de suer par peticion
et si tel tenaunt voile
implede vn auter des
terres &c. il conient en-
ter vn playnt in le co-
urt et counter a in le
nature de quell briefe

il voit ſi come le cuſe giſt

Vtlarie eſt quand vn exigent iſſint vers vn ſcun home & proclamacion fait in v. counces, dunq; ale. v. counteſs le def. mappe le coroner done vn iudgement que il ſoit hors de protection de roy et hors de leide de le ley et par tiel vtlagarie in actions perſonels le partie vtlage forfeura tout ſes ces biens et chateux al roy. Et per vtlagarie in felony il forfeterra auxi bien toutes ſes terres & tenementes que il ad in fee ſimple, ou pour terme de ſa vie et come ces biens & chateux.

Auxi me ſemble vn home ſoit vtlage vnquore ſe ſcun diſcontinuance ou error ſoit ī la ſuit del

wolde hee wyll an the cauſe lyeth,

Vtlary is when an exigent goeth forth against anye man & proclamacion made in v. countes, then at the. v. counte yf the defendant appeare not, the the coroner shall geue iudgement that he shall be out of the protecciõ of the kynge and oute of the ayde of the lawe and bye ſuche an vtlary in actions perſonels the party outlawed shall forfaite al his goodes & cattels to the kynge & by an vtlary in felony he shal forfait al his lãds & tenemẽts he hathe in fee ſymple, or for terme of his life, as his goods & cattels. Alſo though a man bee outlawed yet if anye error or diſcontinuance bee in the ſuyte of the pro-

proces de partie de ceo a
auer la aduantage & par tiel cause la lay-
ry serra reuse et adnul.
Auxi si le parte defen-
dant soit ouster la mere
alterwps de vtlagarie
pronounce ceo est bon a
ase de reuersal del vt-
lary. Auxi si vn exigēs
soit agard de vers vn hōe
in vn counte lou il ne
demurra pas, vnquare
vn exigent one proclam-
acion issera al counte
lou il demurra outer
ment si soit succeo vt-
lage vtlagarie puit este
reuerse come appiert per
lestatute fait anno. iiii.
Henrici octauo.
Auxi si vn soit vtlage
in accion personell all
suite dun auter &
puis il purchasa son
char

ponen the parte that
it shall haue aduanta-
ge & for suche cause
the vtlary shall bee re-
uersed, and adnulled,
also if the parte defen-
dant bee ouer the sea
at the tyme of the ut-
lary pronounced & ys
good cause of ye reu-
sall of the vtlary. Al-
so if an erigent bee a-
warded against a man
in one countie where
he dwellethe not, yet a
erigente vō proclama-
cō shal go forthe to ye
countie where he dwel
lethe, or else if hee bee
thereuppon vtlawed ye
vtlarie maye be reuer
sed as it appeareth by ye
statute made the iiii.
yeare of kinge Henrye
viii. Also if a man bee
outlawed in an action
personel at the suyte
of another and after
hee pourchase his

proces de partie de ceo a
auer la aduantage &
par tiel cause la lay-
ry serra reuse et adnul.
Auxi si le parte defen
dant soit ouster la mere
alterwps de vtlagarie
pronounce ceo est bon a
ase de reuersal del vt-
lary. Auxi si vn exigēs
soit agard de vers vn hōe
in vn counte lou il ne
demurra pas, vnquare
vn exigent one proclam-
acion issera al counte
lou il demurra outer
ment si soit succeo vt-
lage vtlagarie puit este
reuerse come appiert per
lestatute fait anno. iiii.
Henrici octauo.
Auxi si vn soit vtlage
in accion personell all
suite dun auter &
puis il purchasa son
char

Chauter de pardō de roy
le chauter ne serra ānes
alowe tanque il ad
sue vn briefe de scire fu
cias de garne la parte
plentif, & si il appere
donques le deff. respon
dera a luy et luy bar
rer de sa accion ou au
termēs ne serra agremēt
auesque luy,

Wreke est lou vn niefe
est perisho sur la mere,
& nul hom escape viuz
hors de nief & la niefe
ou parte del niefe issint
perisho ou les biens in la
nief vient al terre dascū
seignour, le seignour les
auera como vn wreke
de mer comes si chosen ou
chatesoupe venu issim
que la partie a que les
biens sonnent esgne deūs
lan et iour, et ces biens

chaytre of pardon of ye
king such chayter shall
neuer be allowed til he
hath sued a writ of scire
facias to warn ye par
ty plaintife, & if he ap
peare, then ye deff. shall
answere hym, & barre
hym of his action or el
to make agreement wi
hym.

Wreke is where a
shippe is perysched on
the sea, and no manne
escape the alyue out of
the shipp, and ye shippe
or parte of the shippe
so perysched or ye goods
in the shippe come to
the lande of anye lorde
the lorde shall haue ye
as a wreke of the sea
but if a dog, or cat, es
cape a liue, so ye ye parti
to whome the goods
belonge come within
a yeare & a day, he shal
haue

have his goodes, and they shall not be forgiuen vnto by ye statute of westm. primo. ca. xiiii.

Voucher est quant vn precipe quod reddat de terre est porte nent vn home, et il mettra doit garrantee de sute al tenaunt, donques le tenaunt lui mechera a garrantie, et sur ceo il auera vn briefe appell summonitis ad warrantizandum, et si le vicount retourne que il nadriens per que il puit este som, donques isse ra briefe appell sequatur sub suo periculo. et quaunt il vint il plede raouesque le demaunt daunt, et si il ne vint ou si il vint et ne puit barrer le demaundãt

don

have his goodes, and they shall not be forgiuen vnto by ye statute of westm. primo. ca. xiiii.

Voucher is when vn precipe quod reddat de terre is porte nent vn home, and he shall make doute to warrant al tenant, then ye tenant shall lay his warranty, and thereupon he shall have a writte called summonitis ad warrantizandum, and if the shiriffe retourne that he hathe nothinge by the whiche he maye be summoned then there shal go forthe a writte called sequatur sub suo periculo, and when he commethe he shal plede with the demaunt, and yf he come not, or if he come and cannot barre the de-

donques le demandant recouera la terre vers le tenaunt, et le tenaunt recouera tant de terre in value vers le vouche et sur ceo il auera vn briefe appell capias ad valencian vers le vouche, vide plus de vouchers en le garantie.

mundant, than the demandant shall recouer the land against the tenant, & the tenant shall recouer a muche land in value against the vouche, & thereupon he shall haue a writ called capias ad valencian against the vouch. Lookeinto more of vouchers in the title of the garantie.

Tenir per seruice de chiualer est a tener per homage fealtye, et escuage et treit a lui garde mariage et relyefe. Et nota que seruice de chiualer est seruice de terre ou de tenementes par armes porter en guerre en defence de royalme et doit garde mariage et relyefe per la reason que nul est able ne de power et ne puit auer conuisaunce darmes porter auant que il soit dage de xxi ans. Et pur tant que le seigneur ne perdra ceo que de droit doit auoir q̃ la power de la roialme de rien ne soit enfeble.

La

luy lay voet per cuus de son tenuer ore que son seignour luy auet a en sa gard tanque al plein age de luy ceest assauoir, xxi. ans.

Tenir per graund sel seantise est sicome vn homme tient certain terres ou tenements de roy dalle ouc luy en son host ou de port a banet ouc luy en ces quatres, ou auec luy en son host ou il el semblable et a ces ap pertenant gard mariage et relief, si come il appertenant a tenes seule gardes et relief.

Tenir per petit serge antie est sicome vn homme tient de roy terres ou tenements vendant a luy vn cosel, vn escu, vn

The laiti will bee[illegible] of his tenure [illegible] the [illegible] [illegible] of the [illegible] full age of [illegible] is to say xxi. yeares.

To holde by grand sergeantie is as [illegible] marine holde certain landes or tenements of the kynge to goe [illegible] hym in his hoste or [illegible] bere his banner [illegible] hym in his [illegible] or to lende his [illegible] like [illegible] [illegible] [illegible]

[illegible] a home [illegible] the
[illegible] the [illegible] of
[illegible] feoffeur and that
[illegible] the not marie
[illegible] ne release, as
[illegible] ne release in wage
[illegible] a. Lay. fitz.
[illegible] marie well that
[illegible] man mage not holde
[illegible] grauande nor tenir
[illegible] mauntenance but of the
[illegible]

The holde by escuage
[illegible] by knight seruyce
[illegible] a tenure be longe the
[illegible] mauvage and
[illegible] not [illegible] such
[illegible] gaunt [illegible] not
[illegible] by escuage but if
[illegible] holde bye homage
[illegible] escuage of common
[illegible] shall [illegible] to him
[illegible] as it was
[illegible] the [illegible] of
[illegible] the [illegible] and
[illegible] fitz. [illegible]
[illegible] tenure [illegible]

[illegible]

[illegible]

[

fame de droiture, & doit
estre le seigner de
Scotzes solon le quan-
tite de son terre quil
est nade doubte per nom
Englesterre. Es ordeyne
est per ladite conseil de
Englesterre, que chescun
tenant dauter a son
seyngnour, & ceo est
proprement pur saue-
ner la cause par entre
Englesterre & ceux de
Escotz un de altis, &
non pas pur tender du-
ters terres, parceq que
les dauantdits terres
seroient de droit appen-
dant a la royalme den-
gleterre.

Y entre per hominage
dauntestrettes, non seu-
lement dauntestrettes
& dons & dauntestrettes
& dons dauntestrettes de

[illegible]
[illegible] by the [illegible]
[illegible] determinate [illegible]
[illegible] well [illegible]
[illegible] by all [illegible]
[illegible] all the [illegible]
[illegible] that [illegible]
[illegible] the warres
[illegible] England and
[illegible] Scotland
[illegible]
[illegible]
[illegible] reaboe
[illegible]
[illegible]
[illegible]

temps dauut memorye
ne courge, per homage,
fealtie, & certayne
rent. Et nest pas a se-
ner per seruice de chi-
ualler, & la nappent
garde mariage, ne re-
liefe. Et nota que ho-
mage puis este dyt en
deux maners, cest as-
cauoir homage aun-
cestrell, & homage de
fayt. Homage aunces-
trell est la quy nous &
nous auncestours out te
nus de noy & nes aun
cesters puis le temps de
nõ memory, p homage
fealtie, & certain rent.
Homage de fayt est la
auso en escosse nous mes
mes a tenir de mey per
homage & rent. Et en-
tendant que cest homage
commence per mon
seul, il est non ho-

homage de fait. Et no-
ta que homage auncestrel treyt a luy vouch-
cest a scauoir, garrantise
del auncestre, mes non
pas homage de fait.

Tenir per la courtesie
dengleterre est, la ou
home prent feme enheri-
tiee, & ouer issue fait un
fitz, & la femme deuie
sans issue more ou en
vieste hom tiendra
cest terre a terme de sa
vie per la courtesie den-
gleterre & per la ley. Et
en cest case le fee & le
droit remaine in le per
son celuy que est tenant
Et pur ceo cest remaine
ne purt a lenfant en secun
dere dauter vie. Et
sil face, bien lust a ce-
luy en le reuersion denti.

Tenure in fee simple
est a tenir a luy & son home

[illegible]

[illegible] ye to hym [illegible]
ye is to say, warranty
tie of auncestrye, but
not homage de fait.

The olde lyuerye
ley of England is when
where a man taketh
a wyfe inheritee, and
they haue issue a sonne
or a daughter and the
wife dyethe, whether
the issue be dead or
liuyng the husband shall
holde his lande for
terme of his life, by
the courtesye of Eng
lande, and by the law
for in this case the fee
and the ryghte remay
ne in the persone of
the man of whom he holde
the. And for that
this remaynt may not
attyne to fee, by the
terme of another bodye
also yf he doe, it is not
lawfull to hym in the re
uersion to enter, yeal
[illegible]

gle is to holde to anye
man or woman, to
him and to his heyres
or his assignes for
euermore, to
the holde tenures holde
into holde for terme of
his owne life, or for
terme of another mans
life, and in this case the
lord the right heyre may
enter in the possession of
land, as long as he shal
liue, and for that thys
estate may not stand
without tenant for terme of
life, and it be not lawful to bum
thorow the fee, right
owner is to enter.

To holde in dower,
where a man enfeoffe
a woman, the wife shal
enter, and gaine the
life of the husbande
husbande in the

au femme, ou luy & a
ses heyres ou a ses assignes
pour ouer.

Tenir in franke ter
mure est a terme a ūme de
sa vie, dans sine, ou a terme
de autier vie. Et en
cest cause sile ad droyt
entrer ly ad droyt le person
celuy sole quel il tyent.
Et pur ceo cell tenant
ne puis pas dimin sen
ne a terme de autre vie.
Et sil sa tenant decease
luy in pur le fee & le
droyt demeert dentrer.

Tenure in dower
est lou home inherite
prent fesme en dower, le
ire entrer en terre la
feme de la tiercepie de
tout ceo q̄ fuit a sō baron
Q iiij en

en sa vie, ou fee simple
ou fee tayle, & le tyen-
dra celui terme pour ter-
me de sa vie cõe sõ frãk
tenement.

Tenir a terme dans
nest forsque chattell real
fecte, quar nul acciõ est
maynteinable enuers le
termour quant a recouer
er de frank tenement,
car null frank tenement
est a luy, Lesse a terme
dans est chattel real. Et
lauter chattell est touz
biens que est mouable.

Tenir in mortgage est
a tenir a certaine terme
sur condicion, que si le
lessour payee a certaine
niers a certaine iour
paie entre ceux sans nul
lauter ceux sor simple ou
fee tayle, ou est auie terme
ment. Et en ceste un cas

lyse un feoffe simple
fee simple, ou fee tayle
holde, et lestate
terms de sa vie
fee holde.

La holde
de terre in nos bookes
tout ensemble est acte sor
cion, is a mayntenable
against the termer
up to the terme, but
terre holde sor another
holde is in ceste. A. lease
for terme de ses years
chattel real, and
chattel
mouable
holde
gage, to hold
taine terme upon condi
cion, that if the lessour
payee a certaine
niers
fee simple
fee tayle
terme

[illegible] mayne
[illegible] tenure
[illegible] the feffee
[illegible] time
[illegible] other
do not as the condicion
[illegible] and same
[illegible] bryng
[illegible] shoulde
become, bee bounden in
mortgage, as in a deed
[illegible]
[illegible] that if
[illegible] bee lentoe a man
[illegible] mortgage in fee by
[illegible] fee simple upon
condicion that if hym
[illegible] as to defeat
[illegible] payeth
[illegible] such a mayne
[illegible] mayntenye, if not
[illegible] the feffee bane the
[illegible] resuite in the landes
[illegible] lessoure by
[illegible] graunt at the begin
[illegible] mortgage. And if the
[illegible] mayne assyned
[illegible] bee dissesen, he
[illegible]

les terres du tenant sont
denez a bonne le ceuant
tenes sur condicion de faire
la dessaur pour payer le
lesse a luy plus longe
temps du termes si lauer
ne face si come la condi
cion est des terres et tenes
tant q le dour q la condi
cion serroit fait, sont te
nus en mongage q so
mon gage
Et nota q terre q soun
iesse a vn home en mon
gage, ensemble ouplus en
fee ou le feu conditionel
q si le premier lessour
ne le dessaur est dit
payant ants le dessaur
a iceluy quel il payent
lentes et sinon q le
lesse cy mesme dessaie
en les terres q le
lessour luy graunt a
dopnants. Et si de
mant le ceuant assyance
le

le lesse seyr ussiesh, ou
aure a dessise de nonel
dessesion. Et en cas que
si le lessee prent femme
et ne ensuyt ly demandes
le iour assigne, sa feme
ne aura rien.

Et note que si le lessee
après le mort de
lessee ne paye les de
niers a le iour assis, a
dengues la femme ayt
endowe sur dower, et lis
sue son heritage. Et en
cas que le lessee ne le
paye assis payee les de
niers al heyre de le lesse
set, donq il puis enter
la feme et le heyre ouster
de son franke tenement
donq le ire premise
ment lesseen si un home
donee et reme en auter
en le syle, vend auant
luy ouster, rent per ayl
et un chief pur sant
payement, le donee prend

[illegible] assise of the
[illegible] lessee. And so
[illegible] if the lessee take
a wife and dye before the day
[illegible] assigned, the woman shall
not recover.

And note well that
if the lessee after the
death of the lessee pay
not the money at the
day assigned, then the
woman shall hold
her dower, and the ye
[illegible] her heritage. And
in case the lessee at
the day assigned pay
the money to the heire
of the lessee, he may be
may put out the wo
man and the heyre de
[illegible] of all his lande [illegible]
[illegible] And if a man grant
lands to another in
fee simple, yet he grant
hath a certain rente
by the yeare, and one
where for default of payment
[illegible], the donee takes

a wife

[illegible] and death seised
[illegible] shall be in
dowre. And in case
after the tenant dye be
[illegible] the donour, maye
enter and enjoye the
[illegible] and the he pre
[illegible] vote well
[illegible] man
[illegible] gage in fee, upon
condicion, that he doth
[illegible] the lessour shall be
[illegible] to pay the mo
[illegible] he alienee, and
not to be seisen as it is
said.

Tenir in bourgage
is to holde as the bourge
is holde of the kyng
or of a other lord lan
des or tenementes yel
ding to him a certayne
rent by the yeare, ex cis
[illegible] libere, [illegible] other
wayne than bourgeys
holdethe of kyng lordes
landes, or tenementes

[illegible]

semmes et de cie seise le
femme serra endowe.
Et en cas que apres le
tenant soit adeuxe le do-
nour poit entrer et ousta
le femme et leire auxi.
Et note a que si terres fa-
ient lesses a un home en
mortgage en fee sur cer-
taine condicions le lesse
alienee le lessour serra
charge de paier les deni
ers al alienee et non pas
a son lessee, come il est
dite.

Tenir in burgage est
a tenir si come les burg-
geis tiennent de roy ou
de auter seignour terres
ou tenementes rendant
a luy un certaine
rent per an, ou auter mes
[illegible] auter home a
burgeis tient de aucun
seignour terres ou tenes

en burgage ou tenaunce a
lay vn certeyn rent per
an.

Tenir en socage est a
tenir de sein seigniour
terres ou tenaunces ren-
dant a luy vn certeyn
rent par an par service
maners de ser dicel.

Et nota que tenir per
chivalerie est tenir per
service de chivalerie ne
le appelle iurte mary
age ne relefe mais le
doubler ou vn foits lour
rent apres lamort lour
auncester solonque ce q̃
soleient payer a lur seig
niour et ils ne seruoient
doster in lour gentre

Comen ll appelle rent
service de chivalerie
de relefe.

Quel socage est de trois maneres est
assauoir socage en ferme

in burgage socage pure
hilir a certain rentage
pence.

Mo nota be in socage ys
to hold of any lordshipe
des of tenantes ye tenyng
to vse a certaine rente
by ye yere for all maner
seruices and more vnto
that ye horoage socage
is not to bee ye tenure
gyls seruice, nor that
longeth vnto mariage
nor to doble ye
the yeres double ye
theire rent after the
ate of theire auncesto
urs accordinge to that
that they were wont to
paye to theire lorde.
And there shall nte be
other seruice geuen
as it appeareth in ye
case of lands and re
liefes. Also note well
that socage is of
maneres
socage in fee tenure.

So

[illegible] shall come to his full age of xxi. yeares, and looke ye statut of mar-

[illegible]

a pleine age de.xxi.ans

Et vide le statut de war le bridge

[illegible] de [illegible]
[illegible] tenir ne est rien [illegible]
[illegible] demesne sur le
[illegible] ne soit [illegible]
[illegible] briefs [illegible] ē le [illegible]
[illegible] ne [illegible] par [illegible] dis-
charge [illegible] lour se-
gnour [illegible] ne [illegible] par
[illegible] [illegible] ē
[illegible]. Et [illegible]
[illegible] par [illegible]
[illegible] lour seignour et ce
[illegible] seignour
[illegible] par [illegible] ce [illegible] de
[illegible]. Et [illegible] [illegible]
franktenantes [illegible]
[illegible] sur [illegible] en
[illegible] [illegible]
[illegible] par [illegible]
[illegible] par [illegible]
[illegible] par

[illegible]

[illegible]

[illegible]

[illegible]

Et note que le lord ne
pas pure villeyn, ne vil-
leine deit pas gardema
[illegible] ne ferra faire
autre, se [illegible] reall. Et
note que [illegible] en vil-
lenage ne ferra [illegible] fait
bone villeyn sil ne soit
contentue [illegible] le temps
de son memorie ne vil-
lein terre ne ferra fait
bone villeyn ne fait
[illegible]

[illegible] ne
[illegible] ne
[illegible] ne

par le plain de son seigneur
Et nota que si villein
purchace certaine terre
& prendre et chacun et
demie devant le plaine
qu'il ne serra ensuer le seigneur
la seme terre en dower. Et
nota que en cest cas ceux
de seignour sont preiu
que il ne ad et entre
bien lour villein que le
il purchace garrantie le
a lui et a sa ville ne qui est
villein a la seignour il
ne ad la nonpower Et par
protestacion de seignour
puis bauer que non obe
stant que il plede avec son
villein ne serra ouy en ta
chose Et nota que par
tarde ne serra amen
dure villein si non ce
conisance in course de
record Et nota que la dec
soit duer vn seignour a

vn

nant for terme of yeares of a villein.

And note well that the lorde may rob his villein, beate & chastise at his wyll, saue onely that hee maye not mayme him, for then he shall haue appelle of mayme against him.

And note well, that a villeyne maye haue iii. actyons against his lorde, that is to say appell of death of his auncestoure, appell of rape done to his wife and appelle of mayme. And note well if twoo parceners bring a writ of dette, and one of them bee nonsuite, the nonsuite of him shall be iudged nonsuite of them both, so that if the nonsuite bee after apparance, theye shall be put out from that action for euer, for the

naut a terme dans dun villeine. Et nota q̃ le seignour puit robber so villeyn, naufrer et chastiser a sa volunte, saluo que il ne puit luy mahãe car donques il auera appell de mahayme enuers luy.

Et nota que villeyne puit auer iii actions en ders son seignour, cest a auoyr, appell de mort son aunt. appell de rape fait a sa femme, et appell de mahime. Et nota si deux parcens porterent briefe de Neifie, et lun de eux soyt nonsuy, le nonsuyte de luy serra adiudge la nonsuite de ambideux, isinte que si le nonsuyte soyt apres apparannce, ils serront ousties de cest action a toutes toures,

ter, le lex est tiel in fa-
uorem libertatis. Et
nota, si deux qui ne
voillent in le commun
ge une deux faces
lay une manumission
il ne sera ne enfran-
chise en vers ambedeux.
Et nota q en briefe de
Natiuo habende il co-
uient q le seignior men-
tire coment il auer na-
tiuus de luy, e celui
villein de quel est loig
niour e c. Et le verit
de les auncestrys ne sui
sers de nul de sa sank
il ne q[illegible] ...
si le villein ad pas ra-
mu en court de ceo lun
estre son villein. Et nota
q quen briefe de
Nief si ceo purcate ste
mis plusiours nefs
deux tant solement ...
hoc intuendum sit.

laue is such in fauoure
of libertie. And not
well, if you haue a
villeyne in commen,
and one of them make
to bond manumission
he shal not bee manu-
mised against both. And
note that in a writ
of Dower hadeno it be
boueth y y lorde the we
bond be cometh priue
of y blood of y villeine
of who he is lorde. Ye
And if bee not none of
his auncestours were
not seiers of non of his
blood, bee shall not
inuoke bee his ancestors
bee villeyn have not
power in court to
... bee bond
lorde y villeine. And
note that in a writ
of Dower not bee
put mis-nefs than
this was proued
before in y barrey
...

bondage. But in a
writte de Libertate proba-
nda, maye bee put as
many nieces as y plai
tiffe will.

And note well that
if the villeyne of a
lorde bee in ancien
demesne of the kynge
or other towne priui-
leged, wythin a yeare
and a daye, the Lorde
maye seyse hym, and
yf he dwell in the same
towne or other place
franchised by a yeare
and daye wythoute
suyte of the Lorde, he
hath no power to seyse
hym after, yf he go not
estraye out of the
forestalle franchise.

Worthye in the
table is, where a man
holde the certayne lan-
des or tenements

prius in odium seruitutis. Mes in brief de Libertate probanda purront estre mis tantes nifes come le playntife voudra.

Et note que si le niese de seignioure soit en aūcie demesne de roy ou auter villle priuilegie, deyns lan & iour le seygnyoure puyt luy seisy et sil demoure en la dit villl ou lieu si auchise per vn an & vne toure sans le seysin de son seignioure, il nad mye power de luy seyser apres, si il ne va en estraye de hors le suis dit franchise.

Tenir en le tayle est lou home tient certayn terres ou tenemēts a

a luy & a ses heires de son corps engendres. Et nota que si la terre soit done a vne home & a ses heyres males, & il ad issue male, il ad fee simple, & ceo fuit adiudge en le parliament nostre seignour le roy Mes lou terres ou tenes sont dones a vn home & a ses heires males de son corps engendres, il ad fee tayle, & lissue female ne serra my enherite, vt patet Anno. xviii. Edwardi iii. en vn Assise.

Tenir en le tayle apres possibilitie dissue extinct est lou terre est done a home & sa feme & a lez heyres de lour deux corps engendres, lu de eux survive lauter sans issue entre eux

to him & to hys heires of his bodye begotten. And note that if the land is geuen to a man & to his heires males, if he hath issue male, he hath fee simple, & that was adiudged in the parliament of our lorde the kyng. But if lands or tenementes be geuen to a man and to hys heyres males of his body begotten, then he hath fee tayle, & the issue male shall not be enheritable as it appeareth by a Assise, yere of Edward the thirde, in Assise.

To hold in the taile after possibilitie of issue extincte is, where land is geuen to a man & to his wife, and to the heires of theme, if they bee engendred, and one of the euer liueth the

another wythoute yssue betwene them go-ing out, hee shal holde the lande for terme of hys owne lyfe, as tenãt in the tayle after possibilitie of issue extincte, and notwithstandyng the doe waste, he shall neuer be impeached of that waste. And note wel if he be aliene, hee in the reuersion shall not haue a writ of entre in consimili casu. But he may entre, & hys entre is lawful per Robertum Thorp chief iustice.

issant, il tiendra sa tẽre a terme de sa vie de mesne come tenaunt en le tayle apres possibilitie dyssue extinct. Et non obstante que il face waste, il ne serra iammays empeche de cell waste. Et nota si il aliene celuy en la reuersion nauera briefe dentre in consimili casu. Mes il put entrer, & son entre est congeable per Robe tũ Thorpe chiefe iustice.

To holde in franke mariage is, to holde in the seconde taile limite in the statute of westm̃ second. Capit. 1. And if the feoffoure shall acquyte the feoffee of all manner of seruice vnto the fifth degree bee past, & the feoffoure shall doe

Tenir en franck mariage est a tenir en le second taile limit en le statute de westm̃. ii. Capitulo primo. Et si le feoffour quitera le feoffee de tous maners des seruices tanq; le quart degree soyt passe, & le

feoffour ferra tous les seruices & suites durant la dyt terme. Et puis les heyres le feoffee le ferront, pur ceo que le priuitie de sāk est passe. Et sil soit distreine pour seruice, il auera briefe de Mesne ēuers luy supposant que il tient les terres de luy, mes il nauera pas le foreiudgement sil ne soit en auaūtage de ses issues.

Et nota que apres le quart degree soyt passe il serra attendant des tanns des seruices a le donour, come le donour est attendant al seignior paramount. Et sil face felonye pour quoy il est attaynt, le roy aueraſa terre pur terme de sa vie natur(l.) Et a-

all the seruice and suites duryng the sayde terme, and after the heires of the feoffee shall doo it, for that that the priuitye of blood is past. And if he bee distrained for seruice, hee shall haue a writte of Mesne against hym, supposing that hee holde the landes of hym, but he shal not haue the foreiudgmente yf it bee not in aduauntage of hys issues.

And note well, that after the fowerthe degree be past, hee shalbe attendant of as muche seruice toe the donoure as the donour is attendaunte to the Lord paramount. And if hee bee felonye for whiche he is attaint, the kyng shall haue hys landes for terme of hys lyfe

naturall. And after his death, his issue shal inherite, as by force of the tayle. And in thys case, none shall haue hys landes by waye of escheate noe more than in anye other tayle, and in case that the tenaunt dye wythoute heire of hys bodye begotten, the lande shall reuerte to the donoure as yt shoulde in the commen tayle. And yf a man let hys lande to another in fraunke mariage, yeldynge tor hym a certayne rente by yeare, hee shal holde this lande in the common tayle, and not in franke mariage, for by the rente reserued, these woordes (in liberum maritagium) bee all vtterlye voyd so that the tenoure

pres la mort, son issue serra inherite come per force de la tayle. Et en cest cas, nul auera sa terre per voye de escheate, ment pluis que en auter taile. Et en cas que tenaunt deuie sauns hoyre de son corps engendres, la terre reuertera a le donour, come serroit en la come tayle. Et si home lessa sa terre a vn auter en franke mariage, rendaunt a luy vn certayn rent per an, il tiendra cest terre en le commen tayle; & ni ent en franke mariage, car per le rent reserue, cestes parolx (in liberum maritagium) ont toute ousterment voydes, issint que la tenure serra enten-

dus selonque la tenure en le cōmen tayle.

Et nota que le done in franke mariage ad condicion annexe a luy non obstante que il nest pas expressement declare en le Chartre del done, vt patet per statutum west m̄ second, Capitulo primo, de donis conditionalibus.

Et nota que home ne donera pas terres ou tenements in frank mariage, forsque lou la feme est priue de sank a le donor. Q̄ uar autem mēt maueroyt home ne feme me ascun estate per tiel feoffemēt forsq̄, a terme de vie.

Tenir en franke almoygne est a tenir tres ou tenementes pur dieu seruir & sainct esglise

shalbe intēded after ꝑ tenure in ꝑ cōmē tayle.

And note well that the gyfte in frank mariage hath sa condicion annexed to it, notwithstandyng ꝑ yt bee not openly declared in the deede of the gyfte as yt appereth by ꝑ statut of westm̄ second. cap. primo, de donis conditionalibus.

And note well that a man shal not geue landes nor tenementes in franke mariage, butte where the woman ys priuie of blonde to the honour, for eis the mā nor the woman shall haue noe other estate by the feffemēt but for terme of life.

To holde in franke almoigne ys to holde landes or tenementes for to serue God and holye

holy churche to indow without doyng any other maner of seruice, And note well that in this case the donoure is mesne and ought to acquite him freely against ye chief lord, & al tho they ye hold in frank almoin shal do no fealtie, but they ye holde in frank maryage shal do fealtie,

dower sauns faire nul auter maner de seruice Et nota que en cest cas le donour est mesne & luy doit acquiter fraūchement enuers le chiefe seignour, et auxi ceux que teignont en frank almoigne ne ferroit fealtie, mes ceux q̄ teignont en frank mariage ferrōt fealtye.

To holde by Elegit is where a man hathe recouered dette or damage by writ against another or by knowledge or in other manner, he shall haue within the yere agaynste him a writte Judiciall called Elegit to haue execucion of the halfe of all hys landes and catteis except oxen, & beastes of the plowe, tyl

Tenir per Elegit est lou home ad recouere dette ou dammage per briefe deuers vn auter ou par conusaunce ou en auter maners il auera deuers luy vn briefe iudicial nome Elegit, dauer execucion dellmoyte de touts ses terres & chauteux excepts boefs et affres a sa carues tanque

le det ou les dam̃ soient
ouſtrement leues ou pa-
yes a luy et durante ceſt
terme il eſt tenaunt per
Elegit. Et nota ſil ſoit
ouſte deins le terme il a
uera aſſiſe de nouel diſ-
ſeiſin et apres vn redeiſ-
ſeiſin ſi beſoigñ ſoit &
ceſt done per leſtatut de
weſtminſter. ii. ca. xvii.
& auxi per lequite de
meſme leſtatute ceiuy q̃
ad ſon eſtate ſil ſoit ouſ-
te auera aſſiſe et reddeiſ
ſeiſi ſi beſoigne ſoit. Et
auxi ſil face ſes execu-
tours & deuie & ſes ex
ecutours entrount et pu
is ſoient ouſtes ils aue-
rount per lequite de meſ
me leſtatute accion cõe
luy meſme ſuſdit, mes
ſil ſoit ouſte & puis fa-
ce ſes executoures & de

tyl ye det or damages be
utterly leued or payd
to him, & durig ye terme
he is tenaunt bye Elegit. And note wel if he
be put oute within the
terme bee ſhall haue
aſſiſe of nouel diſſeiſin,
and after a reddiſſeiſin
if neede bee, and this is
geuen by the ſtatute of
weſtminſter. ii. capi-
tulo. xvii. and alſo by
the equitie of the ſame
ſtatute bee that hathe
bys eſtate yf he bee put
out ſhall haue aſſiſe &
a reddiſſeiſin yf neede
be, and alſo if he make
his executoures & dye,
and his executours en
ter and after bee putte
out they ſhal haue bye
the equite of the ſame
ſtatute ſuche actyon
as he him ſelfe beefore
ſayde, butte if he be put
out and after make his
executo-

executors and dye his executours may enter yf they bee stopped of theire entre they shall haue a writ of trespas upon their matter and case.

And note well yf hee do wast in al the lande or parcelle the other shall haue against him maintenaunt a writte judiciall out of ꝯ first recorde called a venire facias ad computandum by whiche it shall be inquired yf hee haue leuyed al the moneye or parcelle, & if he haue not leuyed the moneye thanne it shall bee inquired, to howe muche the waste amounte the and yf the waste mount but to parcel, then as muche of the money as the waste amounteth shalbe abregeed of

ne ses executours purront entrer et s'ils soyent estoppes de lour entier il auerount vn briefe de trespas sur lour matter & case.

Et note s'il face waste in tout la terre ou en parcell lauter auera enus luy maintenaunt vn briefe judicial hors de la primer recorde nosme venire facias ad cõputandum per force de quel serra enquise s'il ad leue toutes les deniers ou parcel et s'il ad leue les deniers, donq; serra enquise a quanme le wast amount. Et si le wast amount si non a pcel, dõq; tauntes des deniers que le wast a mõnta serra abridge de

les

les suisdits deniers qux
fuer aester leues. Mes
sill ad fait pluis wast
que le auant dit somme
dargent que fust a estre
leue amont, lam serra
discharge maynteinant
de touts les deniers su-
isdites & reconera sa
serre. Et pur la super-
fluitie de wast fait ous-
ter ceo que amount a le
dit summe il reconera
ses dammages sengles,
& mesme la ley est de
ses executours & auxy
de cestuy que ad son
estat. Et note que en E-
legit si le vicount re-
tourne que il auoit rien
iour de la reconisaunce
fait, mes que il purchas
serre puis le temps adon
ques la partie pleintif se
auera nouel brieve dañ

the forefaide money,
which was to be leuied
but if he haue dommag-
re wall than ye forefaid
sonne of money whiche
was to be leuied amoun
teth, ye other shalbe dis
charged bye by of all ye
sayde money, and shall
recouer the lande, and
for the superfluitie of
the waste made aboue
that that amounte the
to the saide sonne her
shall recouer his dam-
mages single, and the
same lawe is of his ex-
ecutoures, and also of
him that hathe hys es-
tate, And note well ye
in an Elegit if the shi
rife retourne that he
had noughte the daye
of the reconisaunce
made, but ye he purcha-
sed lande after ye time
then ye pty plaintif shal
haue a newe writte to
haue

execucion de ceo, mesme
la leye dun chose ne
chaunt. Et note que a-
presle fieri facias le
hõe puit auer de elegit,
mes non contra en la-
mit que le Elegit est de
plus haut nature que
le fieri facias. Et note
que si home recouer par
brief de dette et sue vn
fieri facias et de vie
retour de que le partye
nad riens dont il puit
faire gree a la party
donques le pleyntif a-
uera vn elegit ou vn ca-
pias sicut alias et plur.
Et si le vre retourne a
le capias. mitto vobis
corpus et il nad riens
dont il puit faire gree
a la partye il serra ma-
unde al gayle de Fleete
et illonques demura
tant

vnde execucion ther-
of the same laine is of
[illegible] marchaunte;
note well that
fieri facias a
money bane the Elegit
not contrarye
to so much that
the Elegit is of more
higher nature than the
fieri facias. And note
that if a man recouer
by writ of dette sueth
fieri facias et he returne
that the party
hathe nothyng whereof
he may make gree to
the plaite, then the plaintif
shall haue a capias
alias, and a
plurias, and if the shy-
riffe returne at the last
mitto vobis corpus
and he have no
thyng whereof he may
make gree to the party,
he shall serue to the
prison of the fleete and
[illegible] ther

tanque il ad faite greue la partie & le vic. retourne non est inuentus adonques issera le writ

Et note que en briefe de dette pour deuers per son de saint esglise que nad rien de layfee et le vic. retorne que il nad riens per que il puis estre somonds adonques sera le plaintife bref al vesque q̃ il face venir son clerke et le vesq. luy fera venir per sequestraction del esglise.

Et note que si home por tebrife de dette et ret. & face ses exer. et de vie ils accorde execution non obstante que il soit deuers lui per vn scire facias.

Tenir per lestatut mais

there shal abide till he hath made agreement with the partye and if the sherife returne non est inuentus, then the shal go forth vnto the writ against him. And note wel ye in a writ of dette brought against a plaintif of holy churche, which hath nothing of layfee & ye sherife returneth that ye he hath nought wherby he may be somoned, the shal ye plaintif sue a writ to ye bishop ye he make ye clarke to come, & ye bishop shal make him to come by sequestraction of ye churche. And note that if a man bring a writ of dette & recouer & make his execution & ye the party shal have exercise notwithstanding it be that ye party is at his liberty

to holde ye statute

marchaunte, ys where
a man knowlegethe to
a certain moneye to
another at a certayne
daye before the maire,
bailife, or other ward
of ye towne ye hathe
power to make ere-
cucion of ye same ye stat
of obligee pay not the
sd at the day, & nothing
of his goods, lands, or
tenements may be to-
ken within the ward
of the mayre or war-
den be ouersaide, but in
other places without
then the recouise shall
sue the reconisaunce &
obligacion in a certifye
cate to ye chauncerye
under ye kinges seale, &
shal haue out of the
chancery a capias to
arest of ye cohte where
he is to take hi and to
put him in prison, or
else to a clark, yt yll
haue made greement
of ye dette. And one

chaunt est lou home co-
nust a paier certaine de
niers a vn auter a cerra
terme iour demaunt le
maire, bailie, ou aut
gardeine daucun ville
q̃ ad poiar de faier exec
cucion de m̃ lest atut &
le obligee ne para le deg
a le iour asses et rien de
ses biens, terre, ou tents
ne pourront estre trouues
deins la garde le meir
ou gardeine auant dit,
mes en auters lieux de
hors dãq̃ le recons sance
cra le recons sauncee &
obligacion ouer vn cer-
tifisation al chauncery
de soub le seale le roy,
et il aũa hors de la chan
cery vn capias al vic.
de quel counte il est, de
lay prender & mettre
en prison si ne sois lays
ke tanque il ad fait gre
de la dett. Et vn quar

ter de lan apres ceo que
il serra pris il auera sa
terre liuere a luy mes-
me pur faire gree a la
partie de dette. Et il
puit vender tanque il e
en prison & sa vende
serra a bon & loiall.
Et si il ne face gree deins
la quarter dun an on si
soit retourne que il nest
trouue et si il ne soit clerk
adonques le recouise pu
si auer liuere de lacha
uncery que est appelle
Extendi facias de terre
al toutes vie, lou il ad
terres deux tender ses
terres et ces biens a luy
et luy seisi en les ter-
res pur les tenir a luy et
a ces heires et a ces as-
signes tanque le dette
soit leue au pacer per
cel temps il est tenaunt

quarter of the peare af
ter that that he shalbee
take, he that haue bys
lande delliuered to hym
selfe to make gree toe
the partye of the dette
and he may sel it whye
le he is in prisone, and
bys sale shall bee good
and lawfull. And if he
doe not gree within a
quarter of a peare or if
it be returned that
he bee not founde, the
recouerie may haue a
writ of chancery that
che is called extendi fa
cias direct to al shiriffs
where he hath lands to
extende his landes and
goods to hym and ces
sise him in bys landes
to hold them to him
and to his heires and
his assignes that he
dette be leuyed or pay
ed, and whether that
he is tenaunt he ha

statute marchant. And note well, that in a statute marchaunt the reconisee shall haue execucion of all ye landes whiche the reconisoure had the daye of the recognysance made, and anye tyme after, bye force of the same estatut. And note well, that when anye waste or destruction is made bye the reconisee, or by him that hathe hys estate, the reconisour or hys executoures shall haue the same lawe as is beefore sayde of the tenaunt bye Elegit, & that is bye the statute merchant late made at Westminster.

And note well, yf the tenant bye statute merchaunt holde ouer hys terme, hee that hathe right mayesue against hym a venire facias

per lestatute merc ant

Et nota que en lestatute merchaunt, le reconisee auera execucion de toutes les terres q̃ le reconisour auoyt ioure de la reconisance fayt, & vnq puys per force de mesme lestatute.

Et nota q̃ quant ascun waste ou destruction est fait per le reconisee ou p celuy qui ad son estate, le reconisour & ses executours auerõt mesme la ley come est suisdyt de le tenant per Elegit, & ceo est per lestat̃ merchãt darrayne fait a westm.

Et nota si tenaunt per lestatute, merchaunt tient ouster son terme, celuy qui ad droyt puit suer enuers luy Venire fa-

resceus ad computandum, ou entrer tantost.

Troys maners de rents y sont, cest assauoyr rent seruice, rent charge, & rent secke. Rent seruice est lou vne home tient dun auter per foyalte, & pur faire suite a sa court, & rendaunt a luy vn certain rent per an pur tous maners des seruices. Et note, que si le seignour soit seisye des seruices & rent a-uaunt dits, & ils soyent aderere. & il distreint, & le tenaunt resceue la distres, il puit auer assise, ou brefe de Rescous. Mes il est pluis necessarye pur luy auer assise que bref de Rescous, pourtant que per Assise, il recouera son rent & ses damages.

ad computandum, vel ingrediendum tantost.

There be three manner of rentes, that ye to say, rente seruyce, rente charge, and rente secke. Rent seruice ys where a man holde the of another by fealtye, and for to doe suite to his courte, and yelding to him a certaine rente by the yeare for all manner of seruices.

And note well, that yf the lorde be seised of ye seruices rent before said, & they be behinde, & he distrayne, and the tenaunte rescue the dystresse, he maye haue Assyse, or a writte of rescous, but it is more necessarye for hym to haue assise than a writte of rescous, for so much that by assise he shall recouer his rente and hys

hee damnages, but by a writt of Rescous, hee shall not recouer but the thing and the damnages.

And note wel that if the lorde bee not seised of the rent and seruyce and they be beebynde, and hee distrayne for them, and the tenaunt take agayne the distresse, he shall not haue assise but a writte of Rescous.

And note well that if the Lorde dystrayne his tenaunt in socage for knyghtes seruyce which is not mytigaydo, and auowe for y same seruice in court of recorde, hee shall bee charged bye the same seruyce bye Fynche, termino Hillarii, An. xlvi.

And note well that if the Lorde maye not

mes per cest briefe de Rescous il ne recouera mes les reprises & les dam̃. Et nota que si le seygniour ne soyt mye seisye de rent & seruices, & ils sount adere, & il distrein pur eux, & le tenant repr̃et la distresse, il ne poyt mye auer Assise, mes briefe de Rescous. Et nota que si le seygniour dystreyne son tenaunt in socage pour seruice de chiualler q̃l ne est dedit de buy, & auawe pour mesmes les seruices en cowrt de record, il serra charge per tyels seruices, per Fiche termino Hillarii. Anno xlvi.

Et nota, que si le seygniour ne poyt mye

trouer distresse per deux ans, il auera vers le tenant briefe de Cessauit Per biennium, vt patet per lestatute de westm̃ ii. Cap. xxi. Et si le tenant demieen m̃ le tẽps et son issue entre, le seignour auera vers lissue briefe dentre sur Cessauit, ou si le tenant alien le seignour auera vers lalien lauãtdit brief. Mes si le seignour ad issue & deuie, & le tenaunt soyt en arrerage de dite rent & seruices de le temps le pier del yssue & nemye en temps del issue, il ne puit my distreine pur arrerage en temps son pier, & il nauera ascũ auter recouere vers le tenaunt ou ascun auter pur ceo que tiel adnãcynde a distresse bye. iii. yeare, he shall haue agaynste the tenaunte a writte of Cessauit per biennium, as it appeareth bye the statute of westm̃. ii. Capit. xxi. And if the tenaunt bye the saine tyme and hys issue enter, the Lorde shal haue agaynste the yssue a writ surcessauit or if the tenaunt alien the lorde shall haue agaynste the alyene the forsayde writte. But yf the Lorde haue issue and dy, and the tenant bee in arrerage of the sayde rente and seruice in the tyme of the father of the yssue, and not in the tyme of the issue, hee maye not distraine for the arrerages in the tyme of his father, and he shal haue nõe other recouerie against the tenaunt or any

anye other, for that ÿ such advantage is geeuen bye the law to the tenant. And note well that rent seruice is, to the whiche belongethe fealtie, butte to rente charge & rent seck beelõgethe not fealtie, but it belongethe to rente seruice of cõmẽ ryghte. Rent charge is where a man graunseth certayne rent goyng oute of hys landes or tenementes to another in fee symple, or in fee tayle, or for terme of lyfe by deede vppon condiction, that at what daye that the rente bee behinde, it shalbee wellawful for the graunteee or hys heires or assignes to distraine vn the same landes or tenementes. And note well, that ÿ the rente be behynde, it is wel

tage est done pur le roy al tenaunt. Et nota que rent seruice est, a quel appent fealtie. mes ar ẽt charge & rẽt seck ne appent pas fealtie, mes il appent a rent seruice de commen droit

Rent charge est, lou hõe graunt cert ayn rent issant de ses terres ou tenemẽts a vn auter en fee simple ou in fee tayle, ou a terme de vie p fait sur cõdicion, q̃ a quel heure q̃ le rent soyt aderere, bien lisa a le graũte ou a ses heires ou assignes a distrein en m̃ la terre ou tenementes.

Et nota que si le rẽt soit aderere, bien list a le graunteee per election auer brieſe d'annuitie,

ou il puyt distreïner, et si la distresse soit rauise de luy, & il ne suit my seisy adenauut, il nad mye recouere forsq; per brief de Rescous, car la distres premierment fayte, re done a luy seisin forsq; si il happe le rẽt adenauut, quar si il fust seisie del rent adenaũt & puis le rent soyt ader ere il dystreiñ & rescous a luy soit fait, il auera assise ou brief de Rescous.

Et nota que en chescun assise de rente charge, & d'annuell rent, & en brieſe de annuitie, couient a celuy qui port brieſe de monstre auant especialtie, ou autrement il ne mayntiner assise, mais en mort dauncestour au

lawfull to the graunte bye election to haue a writte of annuitie, or ells he maye distraine, and if the distresse bee taken against his will from him, and hee was neuer seised before, he hath noe recouerye but bye writte of Rescous, for the distresse firste taken, geneth not to him seisin butte if hee happe the rent beforе for yt he were seised of the rent before, and after the rent be behind e he distrain, & rescous tue hym beemade, hee shall haue assise, or a writ of Rescous.

And note wel, yt in euery assise of rent charge & annuel rẽt, or in a writt of annuitie, it behouyth to bi yt hoigeth yt writ to shewe yt he au especialtie, or else he shall not maynt

maintayne assise, but in a Warrauntesoure or fauncendre in the discēder or other writes in ye which the title ys geuen by conueyed of rentcharge or annuell rent, it needeth not to show especialtie.

And note well ye if a man graunt a rent charge to another, and the grauntee purchase the halfe of ye land whereof the rent is goinge out all ye rent is extincte, & if ye grauntee release to the graunteur parcelle of the rente, yet al the rent is not extict. But in rente seruyce, notwithstanding ye the lord hathe pourchased the halfe of the land where of the rente is goynge out, yet the rente ys not extinct but for the halfe, and the cause is of the diuersitie, for

Forme donc en la descender, & auters briefes en les quxtitle est donc ou compris de rent charge ou d'annuel rent, nest my besoign de monstre especialtie.

Et note que si home graunt rent charge a vne auter, & le grauntee purchase le moytie de la terre dount le rent est issaunt, tout le rent est extinct. Et si le graūtee release le graunt tout parcell de la rent, vnque tout le rente nest extict mes en ient seruice, nō obstante que le seignior ad la moitie pourchase de la terre, dont le rēt est issant, vncore le rēt nest pas extict forsq, a la moitie, et la cause ē

de diuersitie, pur ceo q̃ rent seruice puit estre seuere a vne personne mes nemy rent charge,

Et note q̃ si rent charge soit graũt a deux ioint ment, & lun release, vncore lauter auera la moitie del rent. Et auxi si lũ purchace le moytie de la terre, dount le rent est issant, lauter auera le moytie del rent de son compaignion. Et si le dyssesysour charge la terre a vn estraunge, & le disseisie port lassise et recouer, le charge est descate. Mes si celuy qui ad droit, charge la terre, & vne estraunge fayte vne faux action enuers luy q̃ nad droyt & recouera per def. le charge demurra. Et note aque en cas que vn

that that rent seruyce may be seuered to one persone, but not rnet charge.

And note well that if rent charge be graũted to twne ioinctelye, and the one release yet the other shall haue the halfe of the rente.

And also yf one pourchase the halfe of the land whereof the rent is goyng out, the other shall haue the halfe of the rent of his companion. And yf the dysseisour charge the land to a straunger, and the disseisie bryng assyse & recouer, the charge ys defeated. But yf hee ỳ hath rightte charge the lande, and a straunger fayne a false action againste hym & recouer by defaute, the charge abydethe. And note well, that in case that

pur-

purparte bee betwene two parceners & more lande bee assigned for one than for the other & shee that hathe more of the lande, chargethe her lande for the other and shee happeth ye rent shee shall maynetayne assise withoute especialtie, and if the graunte bane it in fee sympie or in fee tayle, and ha the issue and dyethe, yf the issue bring a forme done, or assise of mortdauncester, he shal neuer be charged to shew an especialtie.

purpartie soit parentre deux parceners et pluis terre soit alotte a lun q̃ a lauter et celuy que ad pluis de terre charge sa terre a lauter et el happe le rent, el maintenera assise sans especialtie, Et si le grante lauoit en fee simple, ou en fee tayle et ad issue et deuie si lissue porte vn forme don ou assise de mortdauncester il ne serra ammes charge de monstre especialtie.

Rente secke ys where a man holdethe of mee by homage fealtie and other seruice yeldynge to me a certayne rente by the yeare and I graunte this rent to another reseruynge to mee ethe seruice.

Rent sek est lou home tiet de moi per homage, fealtee, et auts seruices rendaunt a moy vn certaine rent per an. & ieo graunt cestui rent a vn auter reseruaunt a moy le seruice,

And

Et note que en rent sek si hom soit seisie del rēt & le rent soit adeuere il ne puiſſe distreindre mes il auera assise de nouel disseisin.

Et note que si rent sek soit graunt a vn home et a ses heires et le rent soit adeuere et le graunsour deuie leire ne puiſſe distreiner ne ny recouera le arerage de temps son pier ſi come est auant dit en rent ſeruice.

Et en mesme le maner est adire en rent charge ou annuel rent. Mes en touts les rents auant dites leyre puiſſa auer pour arrerage en son tēps demesne ſi el auant age ebe auoit ſo pier ſa vie.

And note well that in rent sek if a man be seised of the rente, and the rent be behinde he may not distrayne but he shall haue assise of nouel disseisin.

And note well that if rent sek be graunted to a man and to his heires and the rent be behinde, and ye graunsour dye, the heyre may not distrayne nor shall not recouer the arrerages of the time of his father, as it is before saide of rent seruyce.

And in the same man in ye to say of rēt charge, or annuel rēt. But in all these rentes before saide ye heire may haue for ye arrerages in his own time such auantage as his father had in his life.

And

And note well that in rent seke a mã be not seised of ye rent, it be behind he is wout re-uenye, for that ye it was no own foly at ye beg-ynnyng when ye rente was graunted to hym or reserued ye he tooke not seisin of ye rent as a peny or two pence. And note well ye a mã maye not haue a cessauit per biennium or another writte of entre sur cessauit for noe rent seruice behind by .ii. yeres, but they maye all onely by rent seruice as it appea-reth in the statute.

And note well that in rent sek it behoueth him that sueth ye for the rent sek for to sue we according to the te-naunt or els the tenãt shall not bee charged of ye rent but wher the

Et nota que en rent sek si home ne soit seisi del rent & il soit adestre al ẽsãs recouer, pur ceo q̃ il fuit sa foly demes-ne adẽpmes quãt le rẽt fuist graunte luy ou re-serue que il ne prist mie seisin del rent si cõm vn denier ou deux Et nota que home ne puit mye a-uer cessauit p̃ bienniũ ou auter briefe dentre sur cessauit pur nul rẽt sek adestre per .ii. ans. mes ils purront tout sou-lement pur rent seruice vt patet in statut. Et no-ta q̃ en rent sek il coniẽt pur luy q̃ sue pur le rẽt sek pur mansire fait al tenant ou auermem le tenãt ne sert a my char-ge del rent forsq̃ lou le

rent

rent sek fuist rēt seruice adeuaunt, come en cest case. seignour, mesne, et tenant et chescun deux tient dauter per homage et fealtie et. x.s. de rēt le seignour paramount purchase les terres ou tenementes de le tenant, tout le seignory del mesō forsque pris le rent est extīct. Et pour cest cause cest rent est deuenus rēt sek et le rent seruice chaunge quar il ne puit distr. pur cest rent. Et en cē cas celuy que demaunde le rent ne serra iammes charge de monstre fait. Auxi en brief de mort dauncester ascel ne besaile de rent sek il ne besoine monstre especialty pur ceo q̄ cestes briefes

rent seck was rent seruice before, as yn this case, lorde, mesne, & tenaunte, and euery of them holdethe of other by homage fealtie, and v.s. of rente, the lord paramounte purchaseth the lands or tenements of the tenaunt, al the seignories of the mesne but the rente is extynct. And for this cause this rente is become rent seck, & ye rēt seruice chaunged, for hee maye not distraine for this rente, and in this case hee that demaundethe the rente, shall neuer bee charged to shewe a bede.

Also in a writte of mordauncestoure, aselle, or besaile, of rent seck it nedeth not to shewe a specialtie for that ye these writtes of possession

ession do comprehend title within the seise ye to say ye ye auncestor was seised of the same rent & continued his possession by cause of whyche seisin the lawe supposeth that it is also auerable by ye countreye put looke, for semme suppose that it behoouethe of necessytye to shewe foorthe a deede for that that rent seeke is a thing against come ryghte as well as rente charge. Quitte in assise of nouell dysseysin and in a writte of entre sur disseisin bro ought of rent seeke, it behoouethe of necessytye to shewe foorthe a deede for that ye rent seeke is a thig against comē right except in ye case beefore saide where it was rēt seruice beefore.

de possession comprehēdont vn title deins eux mesmes cest assauoire q̄ laume fuit seisie de mesme le rent et cōtinua sa possession per cause de q̄l seisin le lay suppose q̄ est auxi auerable per pais, tamen quere, quar ascuns supposant que il conuient a fine force a mōstrer auant faite pur ceo querent sek est vn chose encounter comen droit auxi bien cōe rent charge, mes en assise de nouel disseisin en briefe de entre sur disseisin port de rent seke il conuient de fine force mōstre auant fait pur ceo q̄ rent sek est vn chose encounter comen droit sinō en le case suisdit ou il fuist rent seruice adeuant.

Et

Et assise de nouel disseisin, briefe dentre sur cessant ne conteignent deins eux nul title mes supposent vn disseisin estre fait ale plaintife. Et deuerdiement le loy la disseisin ne done nul cause dauerement encontre le droit, mes de sin force il monstre a mans especialter.

Suite service e a venir a la court de iii. semaignes en iii. semaignes p amerciet, & pour ceo ser re hue distr. & nient amercyc. Suit reall e a venir a la court de lete et ceo ne forsq; deux foies en an, et pur ceo home serra amercyet non pas distreine.

And assise of nouel disseisin, a writte of entre sur cessant contayne within them no title but suppose a disseisyn to be done to ye plaintife. And of the entrymatte of the lawe the disseysin geueth no cause of auerment against ye right, but of necessite it behouth the to shew forth a title. Suit seruyce is to come to the court of iii. weekes to iii. weekes by the yere yeare, and for yche default shall be distrayned and not amerced. Suit reall is to come to the court of lete, and yis not but ii. tymes in ye yere & for ye default shall be amerced & not distrayned.

Finis.

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